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THE LIFE OF RUTHERFORD BIRCHARD HAYES

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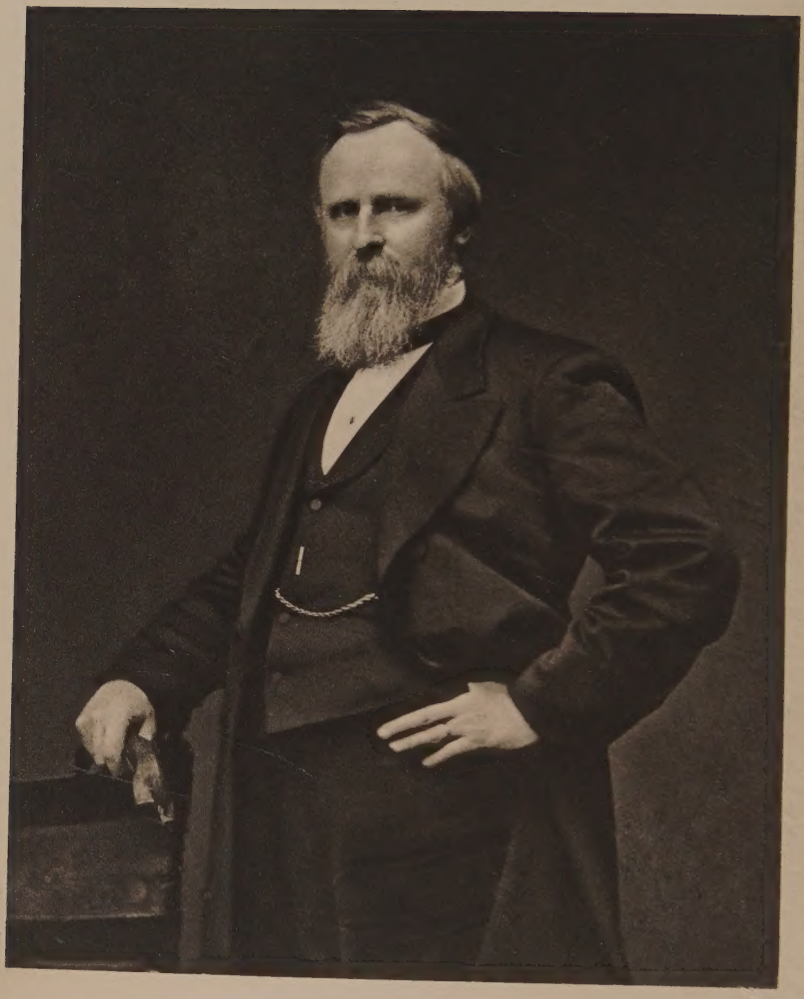
VOLUME II



Rutherford B. Hayes

THE LIFE OF RUTHERFORD BIRCHARD HAYES

NINETEENTH PRESIDENT OF THE UNITED STATES

BY

CHARLES RICHARD WILLIAMS

WITH PORTRAITS AND OTHER ILLUSTRATIONS

VOLUME II

BOSTON AND NEW YORK
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THE LIFE OF RUTHERFORD BIRCHARD HAYES

"He serves his Party best who serves his Country best."

THE LIFE OF RUTHERFORD BIRCHARD HAYES

CHAPTER XXVII

INAUGURATION AND CABINET

DURING all the weeks of passionate partisan assertion and appeal, of constantly shifting surmises and reports, it was quite in the nature of things that threats of personal violence and hints of assassination should now and then burst into expression from desperate or ill-balanced persons. Mr. Hayes received many anonymous letters warning him that he should not live to be inaugurated if he persisted in standing upon his rights and were declared elected.[1] At least one of these letters reached the public prints. It was dated at St. Louis and purported to be written by a Southern woman, though the penmanship appeared masculine. In phrases saturate with the very gall of bitterness, it bade Mr. Hayes remember the fate of Lincoln, and flee from the wrath to come. Of course neither to this letter nor to any other of similar quality did its recipient pay the least attention. He had faced death too often in the line of duty, on battlefield and bivouac, to be disturbed by the cowardly ravings of unknown miscreants who proposed to strike in the dark. No one can protect himself against the assassin's blow if the assassin is ready himself to risk ignominious death. That all the threats might not be idle seemed to be proved by the fact that one evening, while Mr. Hayes was seated with his

[1] President Grant received similar threatening letters. Attorney-General Taft, in a letter to Mr. Hayes of December 6, 1876, wrote: "The President is receiving every day threatening letters, or letters declaring that there is a plot to resist your inauguration, and to kill him. He sends all these letters over to me. There is a great deal said of extensive preparations to seat Tilden by force. Several men have called on me to assure me that there is danger."

family at supper, a bullet pierced the plate glass of the parlor window, the shade of which was only partly lowered. It traversed the front room and the connecting back parlor, passed through the open door of the small library, and buried itself in the library wall. There was a moment of disquiet, and then at once strict injunctions of secrecy were laid upon the household. Thus, no mention of the incident found its way into the newspapers of the day. Of course it could not be positively known that the shot was fired with murderous intent, but the attendant circumstances made that hypothesis most probable; and whether it was or not, it was wise not to magnify it by sensational publicity. It was Mr. Hayes's custom at this period to walk late every evening to the home of his niece, Mrs. Mitchell, several blocks from his own house, where he made a short visit and then walked homeward again. His intimate friends were apprehensive for his safety and advised him to give up this custom, but he would not listen to their fears. His son, Webb, was his companion on these walks, and in deference to the solicitude of friends always went armed with a revolver. But no suspicious persons were ever encountered and no untoward incident occurred.

In the last few days of the count, when the Democrats in Congress were seeking to delay and filibuster, and the air was full of revolutionary designs, some of the partisan papers of the baser sort fairly screamed themselves hoarse with incendiary utterances; and many of Mr. Hayes's friends feared that his journey to Washington might be attended with peril. Mr. Stanley Matthews, one of his counsel before the Electoral Commission, writing him from Washington, February 19, said: —

> An arrangement will be made, as I am informed by the Secretary of War, for a private car via Harrisburg and Baltimore, and you had better come on twenty-four hours in advance of any knowledge of the fact. I think you ought to take precautions for safety, as there is undoubtedly a very dangerous class here and perhaps elsewhere ready for mischief. The *Capital* of yesterday had an article directly instigating assassination.[1]

[1] The article contained this sentence: "If a man thus returned to power can ride in safety from the Executive Mansion to the Capitol to be inaugurated, we are fitted for the slavery that will follow the inauguration."

Three days later a letter from a friend in Baltimore advised Mr. Hayes "by all means to avoid coming through Baltimore"; or, if he must, to pass through in the daytime without making any stop. "I feel impressed," the writer said, "with the conviction that there are individual men so bitter, so wicked, and so reckless that if they had the opportunity, they would assassinate you." Colonel L. C. Weir, of Cincinnati, of Governor Hayes's staff, who had charge of the arrangements for the journey to Washington, also received precautionary warnings [1] from several public men, but he believed their fears had little substantial basis. He "took just enough stock in it [the possibility of danger] to watch for it and no more," as he said in writing Mr. Hayes of the plan for the trip.[2]

Senator Sherman and others advised Mr. Hayes that he ought to be in Washington at least ten days or a week before the date of the inauguration that he might have abundant opportunity for conferences with party leaders. But Mr. Hayes was reluctant to appear at the Capital before his election had actually been declared; and as the count was prolonged by the dilatory tactics of the Democrats in the House, he remained at Columbus until Thursday, March 1, when the two private cars for himself and his friends were attached to the regular afternoon passenger train on the Pennsylvania Railway. The evening before, the people of Columbus had given him and Mrs. Hayes a brilliant reception at the State House,[3] and they were escorted to the

[1] Major Bickham, of the Dayton *Journal*, wrote him from Washington February 16: "In view of the attempt to murder Packard, I told Judge Taft that the President ought to be urged to provide that Hayes should reach Washington safely. He replied: 'That has been considered. The President will see to it.' But, my dear fellow, *you* must be constantly watchful. Hayes is so fearless that he will be constantly in danger. Watch carefully. Keep brave, careful men *ahead* when you start, and especially at stopping-places. Hayes ought not to come through Virginia and Maryland, but by a northern line. Reason this out for yourself. This city is full of bold, bad, desperate men. I have said enough to assure *you*, if you need a hint. But still I say be *careful*."

[2] That these many warnings made some impression on Mr. Hayes's mind seems to be indicated by the fact that in writing a letter to President Grant, on February 23, about his coming to Washington, he added this postscript: "It is perhaps best that the date of my expected arrival in Washington should not be made public."

[3] The reception was followed by a joint meeting of the two houses of the Legislature in the chamber of the House of Representatives, presided over by the President of the Senate, to do honor to the retiring Governor. Laudatory

train by the College Cadets and a vast throng of citizens, to whom Mr. Hayes made a short farewell speech, from the rear platform of his car. He said: —

My Fellow Citizens, — I appear to say a few words in bidding good-bye to you. I understand very well the uncertainty of public affairs at Washington; I understand very well that possibly next week I may be with you again to resume my place in the Governor's office and as your fellow citizen. But I also understand that it is my duty to be at Washington, prepared to assume another position higher and more responsible and with more difficult duties. I have thought, as I looked upon this great audience and as to-day I gazed on the people who thronged our route to this depot, of a similar occurrence sixteen years ago. A little less than sixteen years ago I marched down High Street with one thousand men to pass to the East and to the South to do what we could to restore the Union of the States, and to reëstablish the authority of the Constitution. In that work we were eminently successful, so far as it was possible to be successful by force of arms.

I am not here to say a word in disparagement of what was accomplished by the brave men who went with me from different parts of the country. Of my comrades, one third and over never returned to their homes. They perished in the discharge of their duty, that the Republic might live. But there was something that force could not do. We would have our Union to be a union of hearts, and we would have our Constitution obeyed, not merely because of force that compels obedience, but obeyed because the people love the principles of the Constitution.

And to-day I am called to the work to which Abraham Lincoln was called sixteen years ago. It is under brighter skies and more favorable auspices. I do hope, I do fervently believe, that by the aid of Divine Providence we may do something in this day of peace, by works of peace, toward reëstablishing in the hearts of our countrymen a real, a hearty attachment to the Constitution as it is and to the Union as it is.

In Mr. Hayes's car, besides his immediate family, were William Henry Smith, and a few other intimate friends from Columbus and Cincinnati. At the Ohio towns, where the train paused, and at Pittsburg, enthusiastic crowds were gathered to wish the new President godspeed. Early the next morning, near Harrisburg, the party were awakened to hear the news that the

addresses were made to which Mr. Hayes feelingly responded, closing with these words: "As for myself and family, we go, perhaps to return again in a few days to occupy our accustomed place in this community; possibly we go to other scenes and duties, not to meet you again. In that event, I wish to say to you, as Mr. Lincoln said on parting with his friends at Springfield sixteen years ago, that 'I trust you will pray that I may have that Divine assistance and guidance, without which I cannot succeed, and with which I cannot fail.'"

two houses had counted the last State and the formal declaration that Mr. Hayes was elected President had been made. Throughout the journey no unpleasant incident or hostile demonstration occurred.

President Grant had written Mr. Hayes a cordial invitation to come direct to the White House and be his guest until after the inauguration. But it had seemed to him and to his friends that his presence there might be a source of embarrassment to all concerned, and so he accepted Senator Sherman's hospitality. Mr. Hayes was met at the station by Senator Sherman and General Sherman and driven at once to the former's residence. Immediately after breakfast he called with Senator Sherman at the White House to pay his respects to the President. After a pleasant half-hour with General Grant, who presented to him the members of the Cabinet, he drove to the Capitol. There in the Vice-President's room he was waited upon by many Senators and Representatives, Democrats as well as Republicans, who were eager to meet the new President to be. All the rest of that day he was constantly in consultation with party leaders. Saturday evening President Grant gave a state dinner in his honor. Mr. Wheeler, the Chief Justice, and the members of the Cabinet[1] and their wives, were of the party. Just before going into the dining-room, President Grant, Mr. Hayes, Chief Justice Waite, and U. S. Grant, Jr., withdrew to the Red Room, where, without the knowledge of the other guests, the oath of office was administered to Mr. Hayes by the Chief Justice. This was done to prevent an interregnum.[2] Monday noon at the Capitol, with all due formality, the oath was repeated, the inaugural address was delivered before a vast concourse of people, and Mr. Hayes returned to the White House, Chief Magistrate of the Republic.[3]

[1] Except Secretary Morrill who was ill.

[2] "It was arranged that I should, in the evening before the state dinner at the White House, be sworn by the Chief Justice, to prevent an interregnum between Sunday noon (March 4) and the inauguration Monday. This was on the advice of Secretary Fish and the President. I did not altogether approve but acquiesced." (Diary.)

[3] "The day was bright and beautiful, and nothing marred the splendor of the procession or the ceremony." (New York *Herald*.)

"The space in front of the Capitol was packed with spectators. At least thirty thousand people were gathered there, waiting for the approach of the procession. Its coming was heralded by hearty shouts of welcome and applause. . . . After

For the moment the contentions and rivalries which had endangered the peace and prosperity of the nation were lulled and the beginning of the new Administration promised well.

The inaugural address was as follows: —

Fellow Citizens, — We have assembled to repeat the public ceremonial, begun by Washington, observed by all my predecessors, and now a time-honored custom, which marks the commencement of a new term of the Presidential office. Called to the duties of this great trust, I proceed, in compliance with usage, to announce some of the leading principles on the subjects that now chiefly engage the public attention, by which it is my desire to be guided in the discharge of those duties. I shall not undertake to lay down irrevocably principles or measures of administration, but rather to speak of the motives which should animate us, and to suggest certain important ends to be attained in accordance with our institutions and essential to the welfare of our country.

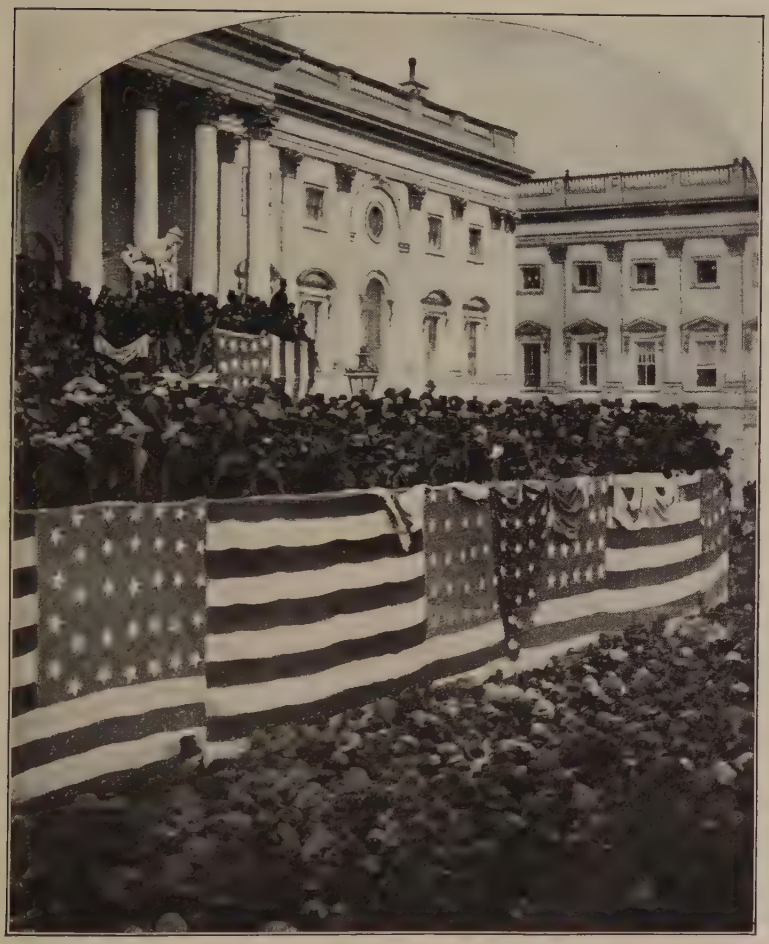
At the outset of the discussions which preceded the recent Presidential election, it seemed to me fitting that I should fully make known my sentiments in regard to several of the important questions which then appeared to demand the consideration of the country. Following the example, and in part adopting the language, of one of my predecessors, I wish now, when every motive for misrepresentation has passed away, to repeat what was said before the election, trusting that my countrymen will candidly weigh and understand it, and that they will feel assured that the sentiments declared in accepting the nomination for the

the foreign ministers, the Supreme Court judges, the members of the Senate and House of Representatives, and other distinguished persons had taken seats, the President-elect and General Grant appeared, arm in arm, preceded by the clerk of the Supreme Court, bearing the Bible upon which the oath of office was to be taken.

"As the new President of the United States walked down to the front of the platform and took his place, he was again cheered with a heartiness that displayed the popular satisfaction his appearance awakened. When silence was restored, he at once commenced the delivery of his inaugural address. It was listened to with marked attention, and was at many points loudly applauded. The President spoke in a clear and deliberate tone, and his words were heard even by those who stood on the outer edge of the vast throng of people assembled to witness the ceremony.

"When the address was concluded, the oath of office was administered to the new President by Chief Justice Waite. The President then reëntered his carriage. The ringing of bells, the firing of cannon, and the cheers of the great multitude greeted him as he passed from the Capitol to the White House.

"In the evening the streets of Washington were so thronged with people that it was difficult to move about except with the general mass. All the public buildings and many private houses were brilliantly illuminated. Bands were playing, rockets flying, and cannon firing. Pennsylvania Avenue from end to end was one sea of light. . . . An immense torchlight procession ended the ceremonies." (*Harper's Weekly*, March 24, 1877.)



THE INAUGURATION OF PRESIDENT HAYES, MARCH 5, 1877

Presidency will be the standard of my conduct in the path before me, charged, as I now am, with the grave and difficult task of carrying them out in the practical administration of the Government so far as depends, under the Constitution and laws, on the Chief Executive of the nation.

The permanent pacification of the country upon such principles and by such measures as will secure the complete protection of all its citizens in the free enjoyment of all their constitutional rights is now the one subject, in our public affairs, which all thoughtful and patriotic citizens regard as of supreme importance.

Many of the calamitous effects of the tremendous revolution which has passed over the Southern States still remain. The immeasurable benefits which will surely follow, sooner or later, the hearty and generous acceptance of the legitimate results of that revolution, have not yet been realized. Difficult and embarrassing questions meet us at the threshold of this subject. The people of those States are still impoverished, and the inestimable blessing of wise, honest, and peaceful self-government is not fully enjoyed. Whatever difference of opinion may exist as to the cause of this condition of things, the fact is clear, that, in the progress of events, the time has come when such government is the imperative necessity required by all the varied interests, public and private, of those States. But it must not be forgotten that only a local government which recognizes and maintains inviolate the rights of all is a true self-government.

With respect to the two distinct races whose peculiar relations to each other have brought upon us the deplorable complications and perplexities which exist in those States, it must be a government which guards the interests of both races carefully and equally. It must be a government which submits loyally and heartily to the Constitution and the laws — the laws of the nation and the laws of the States themselves — accepting and obeying faithfully the whole Constitution as it is.

Resting upon this sure and substantial foundation, the superstructure of beneficent local governments can be built up, and not otherwise. In furtherance of such obedience to the letter and the spirit of the Constitution, and in behalf of all that its attainment implies, all so-called party interests lose their apparent importance, and party lines may well be permitted to fade into insignificance. The question we have to consider for the immediate welfare of those States of the Union is the question of government or no government, of social order and all the peaceful industries and the happiness that belong to it, or a return to barbarism. It is a question in which every citizen of the nation is deeply interested, and with respect to which we ought not to be, in a partisan sense, either Republicans or Democrats, but fellow citizens and fellow men, to whom the interests of a common country and a common humanity are dear.

The sweeping revolution of the entire labor system of a large portion of our country, and the advance of four millions of people from a condition of servitude to that of citizenship, upon an equal footing with their former masters, could not occur without presenting problems of the

gravest moment, to be dealt with by the emancipated race, by their former masters, and by the general Government, the author of the act of emancipation. That it was a wise, just, and Providential act, fraught with good for all concerned, is now generally conceded throughout the country. That a moral obligation rests upon the National Government to employ its constitutional power and influence to establish the rights of the people it has emancipated, and to protect them in the enjoyment of those rights when they are infringed or assailed, is also generally admitted.

The evils which afflict the Southern States can only be removed or remedied by the united and harmonious efforts of both races, actuated by motives of mutual sympathy and regard. And while in duty bound and fully determined to protect the rights of all by every constitutional means at the disposal of my Administration, I am sincerely anxious to use every legitimate influence in favor of honest and efficient local self-government as the true resource of those States for the promotion of the contentment and prosperity of their citizens. In the effort I shall make to accomplish this purpose I ask the cordial coöperation of all who cherish an interest in the welfare of the country, trusting that party ties and the prejudice of race will be freely surrendered in behalf of the great purpose to be accomplished. In the important work of restoring the South, it is not the political situation alone that merits attention. The material development of that section of the country has been arrested by the social and political revolution through which it has passed, and now needs and deserves the considerate care of the National Government, within the just limits prescribed by the Constitution and wise public economy.

But, at the basis of all prosperity, for that as well as for every other part of the country, lies the improvement of the intellectual and moral condition of the people. Universal suffrage should rest upon universal education. To this end, liberal and permanent provision should be made for the support of free schools by the State Governments, and, if need be, supplemented by legitimate aid from national authority.

Let me assure my countrymen of the Southern States that it is my earnest desire to regard and promote their truest interests, the interests of the white and of the colored people, both and equally, and to put forth my best efforts in behalf of a civil policy which will forever wipe out in our political affairs the color line, and the distinction between North and South, to the end that we may have not merely a united North or a united South, but a united country.

I ask the attention of the public to the paramount necessity of reform in our civil service, a reform not merely as to certain abuses and practices of so-called official patronage, which have come to have the sanction of usage in the several departments of our Government, but a change in the system of appointment itself, a reform that shall be thorough, radical, and complete; a return to the principles and practices of the founders of the Government. They neither expected nor desired

from public officers any partisan service. They meant that public officers should owe their whole service to the Government and to the people. They meant that the officer should be secure in his tenure as long as his personal character remained untarnished, and the performance of his duties satisfactory. They held that appointments to office were not to be made nor expected merely as rewards for partisan services, nor merely on the nomination of members of Congress, as being entitled in any respect to the control of such appointments.

The fact that both the great political parties of the country, in declaring their principles prior to the election, gave a prominent place to the subject of reform of our civil service, recognizing and strongly urging its necessity, in terms almost identical in their specific import with those I have here employed, must be accepted as a conclusive argument in behalf of these measures. It must be regarded as the expression of the united voice and will of the whole country upon this subject, and both political parties are virtually pledged to give it their unreserved support.

The President of the United States of necessity owes his election to office to the suffrage and zealous labors of a political party, the members of which cherish with ardor, and regard as of essential importance, the principles of their party organization. But he should strive to be always mindful of the fact that he serves his party best who serves his country best.

In furtherance of the reform we seek, and in other important respects a change of great importance, I recommend an amendment to the Constitution prescribing a term of six years for the Presidential office, and forbidding a reëlection.

With respect to the financial condition of the country, I shall not attempt an extended history of the embarrassment and prostration which we have suffered during the past three years. The depression in all our varied commercial and manufacturing interests throughout the country, which began in September, 1873, still continues. It is very gratifying, however, to be able to say that there are indications all around us of a coming change to prosperous times.

Upon the currency question, intimately connected as it is with this topic, I may be permitted to repeat here the statement made in my letter of acceptance, that, in my judgment, the feeling of uncertainty inseparable from an irredeemable paper currency, with its fluctuation of values, is one of the greatest obstacles to a return to prosperous times. The only safe paper currency is one which rests upon a coin basis, and is at all times and promptly convertible into coin.

I adhere to the views heretofore expressed by me in favor of congressional legislation in behalf of an early resumption of specie payments, and I am satisfied not only that this is wise, but that the interests as well as the public sentiment of the country imperatively demand it.

Passing from these remarks upon the condition of our own country to consider our relations with other lands, we are reminded by the

international complications abroad, threatening the peace of Europe, that our traditional rule of non-interference in the affairs of foreign nations has proved of great value in past times, and ought to be strictly observed.

The policy inaugurated by my honored predecessor, President Grant, of submitting to arbitration grave questions in dispute between ourselves and foreign powers, points to a new and incomparably the best instrumentality for the preservation of peace, and will, as I believe, become a beneficent example of the course to be pursued in similar emergencies by other nations.

If, unhappily, questions of difference should at any time during the period of my Administration arise between the United States and any foreign Government, it will certainly be my disposition and my hope to aid in their settlement in the same peaceful and honorable way, thus securing to our country the great blessings of peace and mutual good offices with all the nations of the world.

Fellow citizens, we have reached the close of a political contest marked by the excitement which usually attends the contests between great political parties, whose members espouse and advocate with earnest faith their respective creeds. The circumstances were, perhaps, in no respect extraordinary, save in the closeness and the consequent uncertainty of the result.

For the first time in the history of the country, it has been deemed best, in view of the peculiar circumstances of the case, that the objections and questions in dispute with reference to the counting of the electoral votes should be referred to the decision of a tribunal appointed for this purpose.

That tribunal — established by law for this sole purpose; its members, all of them, men of long-established reputation for integrity and intelligence, and, with the exception of those who are also members of the Supreme Judiciary, chosen equally from both political parties; its deliberations — enlightened by the research and the arguments of able counsel — was entitled to the fullest confidence of the American people. Its decisions have been patiently waited for, and accepted as legally conclusive by the general judgment of the public. For the present, opinion will widely vary as to the wisdom of the several conclusions announced by that tribunal. This is to be anticipated in every instance where matters of dispute are made the subject of arbitration under the forms of law. Human judgment is never unerring, and is rarely regarded as otherwise than wrong by the unsuccessful party in the contest.

The fact that two great political parties have in this way settled a dispute, in regard to which good men differ as to the facts and the law, no less than as to the proper course to be pursued, in solving the question in controversy, is an occasion for general rejoicing.

Upon one point there is entire unanimity in public sentiment, that conflicting claims to the Presidency must be amicably and peaceably

adjusted, and that when so adjusted the general acquiescence of the nation ought surely to follow.

It has been reserved for a government of the people, where the right of suffrage is universal, to give to the world the first example in history of a great nation, in the midst of a struggle of opposing parties for power, hushing its party tumults, to yield the issue of the contest to adjustment according to the forms of law.

Looking for the guidance of that Divine Hand by which the destinies of nations and individuals are shaped, I call upon you, Senators, Representatives, Judges, fellow citizens, here and everywhere, to unite with me in an earnest effort to secure to our country the blessings, not only of material prosperity, but of justice, peace, and union — a Union depending not upon the constraint of force, but upon the loving devotion of a free people; "and that all things may be so ordered and settled upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations."

The address, it is seen, was in its main features a reaffirmation and reënforcement of the views presented by Mr. Hayes in his letter of acceptance on the three topics that loomed largest in the political thought of the period. It left no room for doubt in the minds of politicians or people that those views had not been expressed simply for campaign purposes, now to be ignored or modified in the interest of "practical politics" or at the behest of arrogant party leaders, but were settled convictions, with full implication of binding obligation to seek their realization, on the part of the new President. Throughout the campaign, and through all the period of doubt and acrimony since the polls closed on November 7, Mr. Hayes had never wavered in asserting that he had meant all that his letter implied in regard to his attitude and purposes toward the South.[1] Now in his

[1] This fact is evidenced by frequent statements in his letters and diary, such as, besides those already given, the following paragraphs written shortly before leaving Columbus: —

"The indications still are that I am to go to Washington. I talked yesterday with Fred Douglass and Mr. Poindexter, both colored, on the Southern question. I told them my views. They approved. Mr. Douglass gave me many useful hints about the whole subject. My course is a firm assertion and maintenance of the rights of the colored people of the South according to the Thirteenth and Fourteenth Amendments, coupled with a readiness to recognize all Southern people, without regard to past political conduct, who will now go with me heartily and in good faith in support of these principles." (Diary, February 18.)

"Yesterday the Commission decided Oregon to be for Hayes and Wheeler. This is the last of the disputed and doubtful States. The only apparent chance of

address he repeated, in amplified form and unequivocal phrases, the doctrine he had hitherto proclaimed. The distracted condition of the South must be repaired. "Wise, honest, and peaceful self-government" must be established; but "it must be a government which guards the interests of both races carefully and equally"; a government "accepting and obeying faithfully the whole Constitution as it is." True, the National Government was under moral obligation to exercise its constitutional authority to establish and protect the rights of the emancipated negroes, and he acknowledged and would obey the compelling force of that obligation; but he was "sincerely anxious to use every legitimate means in favor of honest and efficient local self-government as the true resource of those States for the promotion of the contentment and prosperity of their citizens." To accomplish this purpose he invoked the coöperation of all who regarded the welfare of the country. Finally he gave the Southern

defeating us now is the revolutionary conduct of the Democrats in the House. The Southern members of that party, who have hitherto been conservative and favorable, are disturbed by an article in the *Ohio State Journal* unfriendly to them which is charged to have been inspired by me. The truth is I stand on my letter. If I speak at Fremont or elsewhere during the next few days I may say: —

"'My letter of acceptance, in July last, expressed what I thought were just sentiments on the leading questions which then interested the country. I thought its doctrines were sound before the election; I think they are sound now that the election is over; and if the issue pending in Congress shall be decided in our favor, these principles will be the standard by which my official conduct shall be guided. If I were to write that letter now, I would give that part on the Southern question greater emphasis. The great body of the people of this country earnestly desire a wise and just settlement of that question. They want peace — they long for repose. What is required is: —

"'First, that for the protection and welfare of the colored people, the Thirteenth, Fourteenth, and Fifteenth Amendments shall be sacredly observed and faithfully enforced according to their true intent and meaning.

"'Second. We all see that the tremendous revolution which has passed over the Southern people has left them impoverished and prostrate, and we all are deeply solicitous to do what may constitutionally be done to make them again prosperous and happy. They need economy, honesty, and intelligence in their local governments. They need to have such a policy adopted as will cause sectionalism to disappear, and that will tend to wipe out the color line. They need to have encouraged immigration, education, and every description of legitimate business and industry. We do not want a united North nor a united South. We want a united country. And if the great trust shall be devolved upon me, I fervently pray that the Divine Being, who holds the destinies of the nations in his hands, will give me wisdom to perform its duties so as to promote the truest and best interests of the whole country.'" (Diary, February 25.)

people ground for confidence that he was not uttering empty and meaningless phrases by this emphatic declaration: —

> Let me assure my countrymen of the Southern States that it is my earnest desire to regard and promote their truest interests, the interests of the white and of the colored people, both and equally, and to put forth my best efforts in behalf of a civil policy which will forever wipe out in our political affairs the color line, and the distinction between North and South, to the end that we may have, not merely a united North or a united South, but a united country.

Equally emphatic was his insistence on the importance and need of civil service reform — "thorough, radical, and complete." That the country generally recognized this need and desired its fulfilment was evidenced by the practically identical demands of the platforms of the two great parties. It should be remembered that "he serves his party best who serves his country best" — a phrase whose aptness and felicity have made it one of the permanent political maxims of the race.[1] To aid in obtaining this reform and in making it secure, he recommended the adoption of a constitutional amendment providing for a Presidential term of six years and forbidding reëlection. In the

[1] "The sentence in my inaugural message which has been often quoted, namely, 'He serves his party best who serves his country best,' occurred to me as I was walking east on the north side of Broad Street in Columbus with a small party of friends in 1877. I was pondering the inaugural address, and talking of it with, I think, Rogers, Dick Anderson, Denny Rogers, and Mitchell, — perhaps, also, General Beatty. We were going from my residence to General Mitchell's. 'Serve your party by serving your country'; 'You will serve your party if you serve your country'; 'So serving our country is the best way to serve our party'; are among the forms of statement that occurred to me. The best service of party is service to the country." (Diary, August 3, 1880.)

This apothegm was later put in Latin as *Qui patriæ optime servit optime servit suis partibus.* The Indianapolis *Journal* thought it found a clue to the origin or inspiration of the maxim in Pope's translation of the tenth book of Homer's *Iliad,* where Nestor goes through the camp to wake up the captains, and arousing Diomed says: —

> "Each single Greek, in this conclusive strife,
> Stands on the sharpest edge of death or life.
> Yet if my years thy kind regard engage,
> Employ thy youth as I employ my age;
> Succeed to these my cares, and rouse the rest;
> He serves me most who serves my country best."

The *Journal* continued: "The similarity of the last line to the celebrated expression used by President Hayes is striking. It is probable he was at some period of his life a close reader of the *Iliad,* and that this expression found a lodgment in his mind, to crop out in a slightly modified form after many years. This supposition is strengthened by his allusion to 'Greeks' in one of his Southern speeches."

light of the repeated experiences of recent years, of the pernicious activity of placemen to manipulate primaries and control conventions in the interest of the renomination of the President, — permitted, sanctioned, or connived at by the Executive; in the light of the undignified, if not scandalous and demoralizing performances of eagerly ambitious Presidential aspirants, what sober-minded patriot but must deeply deplore the fact that President Hayes's wise proposal failed of consummation?

Further, he briefly but earnestly declared his continued adherence to his well-known views on the subject of the currency. He made it clear that so far as he was concerned there should be no relaxation of effort to bring about "an early resumption of specie payment," being "satisfied not only that this is wise, but that the interests as well as the sentiment of the country imperatively demand it."

He rejoiced that this country, under his predecessor, had set the world the beneficent example of submitting grave questions of international dispute to peaceful adjudication by arbitration, and he announced his purpose to follow this method should occasion arise in his Administration. And in language of judicial sobriety and perfect good taste he spoke of the electoral contest and the mode of its decision, declaring: "The fact that two great political parties have in this way settled a dispute, in regard to which good men differ as to the facts and the law, no less than as to the proper course to be pursued, in solving the question in controversy, is an occasion for general rejoicing." This was something new in the history of the world's political crises. His peroration acknowledged dependence on Divine guidance and ended with an impressive appeal to all men in authority and to all citizens to aid in making the country "a Union depending not upon the constraint of force, but upon the loving devotion of a free people."

Examination of a vast number of editorial expressions of the day, as well as of innumerable letters and dispatches to the President, shows that the inaugural address made an altogether favorable and reassuring impression upon the judicious public sentiment. Naturally the bitterly disappointed Democratic journals, still smarting from the frustration of their hopes,

indulged in carping criticism and emotional disapproval. But the more sensible and sober Southern papers, while suspending judgment on the President's conciliatory expressions toward the South until these had found interpretation in deeds, recognized and applauded the kindliness of spirit which animated his words and waited in hope for their fulfilment. The dominant note of conservative opinion was concisely indicated by the *Nation*,[1] which said: "The address is a clear, modest, and sensible document, which promises nothing which reasonable men may not hope to see performed, and leaves nothing untouched of which mention was desirable."

But the more radical "elder statesmen" of the Senate were by no means pleased with the tone of the address, either as it related to the South or to civil service reform. In the campaign they had quietly ignored Mr. Hayes's assurances on these topics as the harmless vagaries of an unskilled candidate, well calculated perhaps to tickle the ears of troublesome and visionary Pharisees and reformers, but assuredly not to be permitted to interfere with their purposes and perquisites. Did not they — experienced and practical men (especially *practical*) — know what was best for the South, and the country, and the party? Did not they know what their rights and prerogatives, by long assumption and prescription, were in the disposition of the spoils of office? Were they not to be consulted and appeased and deferred to in the formation of the Cabinet, disconcerting and well-authenticated reports of the composition of which were already abroad? What sort of man was this who had the temerity to propose to shape his administrative policy and to select his advisers, albeit in strict conformity with the party's declared

[1] Issue of March 8, 1877. — Compare: "There have been few inaugural addresses superior to that of President Hayes in mingled wisdom, force, and moderation of statement. And it is one of the happy facts of the occasion that the fiery partisan contest of the last nine months ends in the accession of a President whose first words tend to allay fury and placate passion. . . . The general policy indicated . . . is unquestionably that which is approved by the intelligence and patriotism of the whole country." (George William Curtis in *Harper's Weekly*, March 24, 1877.) The impression made abroad was equally favorable. Writing to the President, March 10, from London, the American Minister, Edwards Pierrepont, said: "No message of a President to the people has ever been received with such universal favor on this side the Atlantic as the late inaugural. It seems the harbinger of peace and union and prosperity in the future."

mandate and his own avowed principles, without seeking their advice and yielding to their admonition? Surely he must be taken in hand at once and made to understand that the wise party leaders of the Senate were the real power in the state, which he could not safely refuse to take into account.

Mr. Blaine, aggrieved and indignant because he was not allowed to name a member of the Cabinet, rashly assumed the leadership of the refractory coterie. In the Senate, on March 6, he plunged precipitately into the arena and waved the flag of opposition and revolt, thinking evidently to put himself at the head of his party in the Senate by voicing what he blindly assumed would be the controlling Republican sentiment of the country. "In a confident and aggressive manner, which recalled his former exploits of dashing leadership in the House," as one newspaper correspondent of the day put it,[1] he made the speech which he delivered in favor of seating ex-Governor Kellogg, of Louisiana, elected by the Packard Legislature, the occasion of virtually defying the President to carry out what was believed to be his contemplated policy in relation to Louisiana. At the end of his blustering pronouncement the Senate adjourned; Kellogg and the carpetbag Senators rushed to him with effusive congratulations; but the more moderate members were dismayed at what they interpreted as a declaration of war in case the President adhered to the purpose foreshadowed in his inaugural address. Shrewd observers of the day did not credit Mr. Blaine with sincerely patriotic motives in his attack; rather they traced it to offended self-esteem and to the hope that by his sensational aggressiveness he could still force the President to regard his wishes in making up the Cabinet.[2]

Swayed by similar feelings that their high standing and importance were being slighted by the President in selecting his constitutional advisers, Senators Conkling and Cameron were known to be in anything but an amiable mood. How dared the President ignore their "claims" and deny their solicitation?

[1] New York *Tribune*, March 7.

[2] "The speech made by Mr. Blaine was evidently prepared with careful purpose, and great pains were taken to give it wide circulation, verbatim copies having been freely furnished to the newspapers. The purpose is believed to be to scare President Hayes into appointing Mr. Frye to the Cabinet." (Washington correspondence New York *Times*, March 7.)

What assurance could they have that their overlordship of the Federal offices in their States could be maintained in the glory that had been theirs if they could not each name a member of the Cabinet, and if fantastic notions of civil service reform were actually to prevail? [1] While these three Senators were the most conspicuous and outspoken in complaint and criticism, many others more or less openly approved of their course and were inclined to make common cause with them.

Meanwhile, unswayed by the murmurs of displeasure of the "elder statesmen," and beset as he was by innumerable callers, Mr. Hayes was deliberately completing his Cabinet. For many weeks before leaving Columbus his mind had been busy with this important problem, and already when he reached Washington he had practically decided upon all but two or three names. In coming to his conclusions he had freely counselled with the political friends whose judgment he most highly respected — Mr. Wheeler, Senator Sherman, Mr. Schurz, General Cox, William Henry Smith, Judge Force, and many others; had solicitously sought information from trusted correspondents regarding men under tentative consideration, and had sedulously weighed the suggestions made by friendly journals or contained in the unsolicited letters of advice which came to him by scores from every part of the country. The first detailed reference to the subject in the diary was January 17, when Mr. Hayes wrote: —

> On the subject of Cabinet, I have talked with Mr. Wheeler, General Cox, General Buckland, and a few others. I am inclined to say that I must not take either of the leading competitors for the Presidential nomination, nor any member of the present Cabinet. My thoughts rest on Evarts for the first place. On Governor Rice or Forbes, of Massachusetts, or Sherman for Treasury; on General Harlan, of Kentucky, for Attorney-General. I think well of General Harrison, of Indiana, and Settle, of North Carolina, for places. Governor Hartranft has a Democratic Lieutenant-Governor, or he might be favorably considered. McCrary, of Iowa, for a place. Booth, of California (but his seat in the Senate would be filled by a Democrat).

February 17, after a month of deliberation, Mr. Hayes wrote: —

[1] "Snivel service reform," Mr. Conkling once sneeringly called it.

Last evening Louisiana was decided by the Commission in our favor. There is still some doubt, but apparently very little, of the result. The inaugural and Cabinet-making are now in order. I would like to get support from good men of the South — late Rebels. How to do it is the question. I have the best disposition toward the Southern people — Rebels and all. I could appoint a Southern Democrat in the Cabinet. But who would take it among the capable and influential good men of those States? General Joseph E. Johnston occurs to me. I must think of this.

Two days later he recorded definitely the principles that should be observed in selecting his advisers: —

1. A *new* Cabinet — no member of the present.
2. No Presidential candidates.
3. No appointment to "take care" of anybody.

These principles, once established after due reflection in his thought, yielded hereafter to no pressure or compromise, however urgent or plausible the solicitation that influential party leaders employed in the effort to break their force.

Mr. Hayes had felt some delicacy about formally asking men to enter his Cabinet while doubt of the outcome of the electoral controversy still existed. But the decision in the Louisiana case, he felt, practically settled the question, so that there could be no possible impropriety in now declaring his wishes. The first man invited to join his official family was Senator Sherman, to whom he addressed the following letter: [1] —

Confidential. COLUMBUS, OHIO, 19 February, 1877.

MY DEAR SIR, — The more I think of it, the more difficult it seems for me to get ready to come to Washington before Wednesday or Thursday of next week. I must fix affairs at Fremont, and can't begin it until I know the result. Why can't friends be sent or come here?

It seems to me proper now to say that I am extremely desirous that you should take the Treasury Department. Aside from my own personal preference, there are many and controlling reasons why I should ask you to do this. It will satisfy friends here in Ohio. I understand Governor Morton and our friends in Washington like it. The country will approve it. You are by all odds the best fitted for it of any man in the nation. Your resignation from the Senate will be a great loss to that body, but it will cause no serious dissensions or difficulties in Ohio. Do not say no until I have had a full conference with you. There is no

[1] Mr. Sherman (*Recollections*, vol. I, chap. XXVIII) says that previously to this letter "President Hayes frequently, in personal conversation and in writing, had expressed a strong desire that I should become his Secretary of the Treasury."

reason why you should not visit Ohio as soon as you can be spared from Washington. Of course the public will know of our meeting. But they will be gratified to know it. No possible harm can come of it. I should have said all this before, but I did not want to embarrass you in your action on Presidential questions. — Sincerely,

R. B. Hayes.

Hon. John Sherman.

Mr. Sherman at once visited Columbus, and becoming assured that his resignation from the Senate would create no political embarrassment in Ohio, he accepted the offer. Mr. Hayes commissioned him to confer with Mr. Evarts regarding the portfolio of the State Department, he himself being reluctant to communicate directly with him until the Electoral Commission, before which Mr. Evarts was the chief counsel for the Republican party, had completed its labors.

A few days later Mr. Hayes wrote Mr. Schurz as follows: —

Executive Department,
State of Ohio,
Columbus, 25 February, 1877.

My dear General, — I am just about to start for Fremont to stay over Sunday. I write hastily to return the enclosed letters, and to say a few words. I do not, or have not, desired to be committed on Cabinet appointments until the issue was reached. But it is perhaps proper to say that, if elected, it has for a long time been my wish to invite you to take a place in the Cabinet. I think it would be fortunate for the country, and especially so for myself if you are one of the members of the Cabinet. I am not likely to change that opinion. The Interior Department is my preference for you. The Post-Office would come next. For State I hope to have Mr. Evarts, but have not consulted him. Mr. Sherman will probably take the Treasury. If nothing occurs to change my plans I expect to go to Washington about Thursday next. All this is on the supposition that we are successful, and is to be strictly confidential. — Sincerely,

R. B. Hayes.

General C. Schurz.

A favorable response [1] came by return mail to which Mr. Hayes replied: —

[1] "I shall not try to conceal from you that the terms in which you invite me to become a member of your Cabinet are exceedingly gratifying to my feelings. Even if the expressions of friendly sentiment in your note were not accompanied by an offer of high official honor and of an opportunity to render some service to the country, I should most highly prize them as a mark of the confidence of a man whom I esteem so sincerely and whose personal friendship I shall ever cherish

EXECUTIVE DEPARTMENT,
STATE OF OHIO,
COLUMBUS, 27 February, 1877.

MY DEAR GENERAL, — I am very glad to get your note of yesterday. Your choice of Department is also my choice for you. I should be delighted to have you go with us to Washington *if we are declared elected before we start.* But I do not want my selection of Cabinet advisers known until that result is announced. I will dispatch you as to train. In case of a favorable decision Wednesday, we start about noon Thursday. If no favorable decision is reached Wednesday, we do not start until in the night of Thursday. My idea is to leave undecided, or rather uncommitted, some places until I reach Washington. Say War, Navy, and Postmaster-General. I write in the midst of interruptions — provokingly so. — Sincerely,

R. B. HAYES.

GENERAL CARL SCHURZ.

Mr. Hayes reluctantly gave up his idea of appointing General Joseph E. Johnston Secretary of War. His thought was that no single act within his power would so effectually prove his good will toward the South, and show to the country and the world how fully the Civil War was a thing of the past and how complete was the confidence of the American people in the restored Union, as the presence in the Cabinet of this distinguished and conspicuously able and popular Confederate commander. General Sherman, then the commander-in-chief of the army, to whom General Johnston had surrendered twelve years before, had no personal objection to the appointment, but was sure that it would be resented by the old soldiers and by people generally.[1] Consultation with political friends also convinced Mr. Hayes, to his regret, that the public opinion of the North had not yet attained the state of magnanimity to bear patiently with so bold

and be proud of. That confidence and friendship it will always be my endeavor to deserve and thus to show my gratitude by something better than words." (Letter of Carl Schurz, February 26.)

[1] "I have conversed with General Sherman. He gives an excellent account of General Joe Johnston, his habits, character, and associations, and he thinks his personal merits may surely be recognized by appointment as Marshal of Virginia or some similar position; but he is of the opinion that his designation to a Cabinet office would not be wise. The only place in the Cabinet for which he is fitted is that of Secretary of War, and that would be distasteful to the ex-soldiers of the Union army and to the public. Personally, he says, he could get along well with Johnston; but it encounters the same feeling as Banning's proposal to open the army to ex-Rebel officers." (Letter to Mr. Hayes from John Sherman, dated Washington February 25.)

and generous an action.[1] Mr. Hayes, however, did not abandon his purpose to place a genuine Southern man in his Cabinet. Many names were considered, but his choice finally fell upon David M. Key, of Tennessee, whose term as Senator — he having been appointed by the Governor on the death of Andrew Johnson — expired March 4. He was a lifelong Democrat; had served with distinction in the Confederate army; but since the war had accepted fully the new conditions and during the electoral dispute had been notably temperate in speech and in advocating reasonable action. He was named for Postmaster-General.[2]

[1] "Governor Hayes asked me what Senator Morton would think of the appointment of Joe Johnston as Secretary of War. I replied, 'Great God! Governor, I hope you are not thinking of doing anything of that kind!'" (Colonel W. R. Holloway, MS. report of visit to Columbus.)

U.S. Senate Chamber, Washington,
3 March, 1877.

My dear Mr. President, — I have had an hour to reflect on the suggestion you made to me in regard to the War Department; and I cannot refrain from expressing my views very frankly.

I think it would burden your Administration needlessly and gratuitously from the very outset with a thousand enmities and animosities — the extent and existence of which you may not have fully measured, but which are bitter and unrelenting. Indeed, to be brief, it seems to me to have every hearty condemnation adverse to it, and not one in its favor. It would be *infra dig.*, on the one hand, and *outré* and extraordinary, on the other, and would harm everybody and help nobody.

You did me the honor to ask my advice. I give it thus frankly with no consideration but one of anxiety for the success and prosperity of your Administration. — Sincerely,

J. G. Blaine.

[2] Mr. Hayes had received many assurances from public men of Mr. Key's character and worth, and these he was confident were well founded, when a letter written by Mr. Key, February 16, to a personal friend was placed in his hands. Mr. Key wrote: —

"I am ready to do all I can to restore confidence and good government to the people of the South. This can only be done by a hearty fraternization of the sections, for which I have labored. If, without requiring of me the sacrifice of any personal or political independence, you find that my name can be used for the good of the South, in your best judgment, you are at liberty to use it. If I were to become a member of an Administration I should not feel at liberty to place myself in opposition to its general policy, but should feel bound to build it up and strengthen it in the hearts of the people; and if the time arrived when I could not heartily coöperate with it, I should resign. As matters are in the South I should be more useful to our people in an independent position, and if, as I hope and believe, the Administration will develop a broad and liberal policy toward the people of the South, I would not hesitate to incorporate my fortunes and self with it."

Final decision in this case was declared after Mr. Hayes reached Washington. The same thing is true also of the Departments of War and Navy and the Attorney-Generalship, though George W. McCrary, of Iowa, had been definitely determined on for one of these positions. After his arrival at Washington Mr. Hayes offered a seat in the Cabinet to Eugene Hale, an able member of Congress from Maine, who was the son-in-law of Zachariah Chandler. Mr. Hale declined the offer; whereupon Mr. Blaine insisted on the appointment of William P. Frye, also a Congressman from Maine, and a man whose ability was beyond dispute. But Mr. Hayes firmly refused to allow Mr. Blaine to dictate a Cabinet appointment, thus provoking the wrath and resentment of that powerful leader, who, as already related, at once sought to arouse opposition to the President among the Republicans of the Senate. Senator Cameron also was equally insistent that his son, Don Cameron, should be retained as Secretary of War. But that was out of the question if "a *new* Cabinet" was to be formed, and to that rule no exception could be made — even had Don Cameron been the kind of man to ornament a reform Cabinet — without reflecting on other and worthier members of General Grant's Cabinet whom other party leaders desired to see continued in place. So Senator Cameron, long in undisputed control of Pennsylvania Republicanism, assumed an air of injured dignity and breathed out threatenings and slaughter. Friends of General Logan, who had recently failed of reëlection to the Senate, pertinaciously urged his appointment, all unconscious apparently of how discordant an element his narrow and flaming partisanship and his low ideals of political effort would introduce into a Cabinet which was to reflect and enforce the reform principles which Mr. Hayes had avowed. So these champions were likewise dissatisfied and ready to stir up trouble.

After the declination of Mr. Hale, Mr. Hayes promptly decided upon Judge Charles Devens, of the Massachusetts Supreme Court, who was warmly recommended by Senator Hoar and Vice-President Wheeler, to be the New England representative in the Cabinet, naming him for Attorney-General. Thereupon Mr. McCrary, who had been thought of for that place, was assigned to the War Department, and only the Navy Department

remained to be filled. For that position (or some other in the Cabinet) he desired, from his high regard for Senator Morton and his admiration for his political sagacity and patriotism, — though disapproving of his vacillation on the money question and not sympathizing with his extreme views regarding the South, — to find a suitable man in Indiana. His first thought was of General Harrison, who, coming into the state contest at the eleventh hour, when Godlove S. Orth, candidate for Governor, had been forced off the ticket, had made a gallant though unsuccessful campaign to win Indiana to the Republican cause. But General Harrison, for one reason or another, had incurred the hostility of Senator Morton,[1] and so his name was dropped and many others were canvassed. Finally the choice narrowed down to John W. Foster, at that time Minister to Mexico, and Richard W. Thompson, famous since 1840 for his political oratory,[2] who had placed Morton in nomination at Cincinnati. Of these two Mr. Hayes was inclined to prefer General Foster, the younger, abler, and more active man. But as it would take so long for him to reach Washington, and as it was desirable that all members of the Cabinet should be installed at once, Colonel Thompson won the distinction.

The names of the men designated for the principal places in the Cabinet were known in Washington on the day of the inauguration and were telegraphed to the papers throughout the country. The names of all the others, though without correct assignment of their portfolios, were known the following day. They clearly reflected and emphasized the conciliatory and reform assurances of the inaugural address, and they had

[1] Colonel W. R. Holloway, brother in-law and confidant of Senator Morton, is authority for the statement that Morton's antipathy was due to the fact "that during the pending of the Electoral Commission Bill in the Senate, a dispatch was sent to Senator Conkling, signed by Harrison, Gresham, and a half-dozen other prominent Republicans of Indianapolis, urging the passage of the bill. This dispatch was read in the Senate by Senator Conkling with a great flourish of trumpets to show that Morton did not represent the Republicans of Indiana in opposing the Commission Bill. . . . After that Morton left Harrison severely alone."

[2] Colonel W. R. Holloway visited Columbus at Senator Morton's request to discuss Indiana men with Mr. Hayes. In a manuscript account of the conference Colonel Holloway says: "He [Hayes] said he remembered having heard Thompson make a speech in 1840 and he still remembered the clear and bell-like tones of his voice. I told him that his voice had not failed a particle and that he was still good for a three hours' speech any day or night without previous notice."

manifestly been chosen without humble deference to the influences that had long been controlling Republican destinies in the Senate. Consequently, as already indicated, both they and the manner of their selection were mightily displeasing to the "elder statesmen," who in their desperation and resentment were prepared to go the length of refusing confirmation. The particular grievances of Senators Blaine and Cameron and of General Logan have already been set out. Senator Conkling's chagrin was due not only to his antipathy to Mr. Evarts, whom the public sentiment of the country for weeks had recognized as the man of all others to be Secretary of State,[1] but to the fact that choice of Mr. Evarts had been made without seeking his advice (for he arrogantly, though no doubt sincerely, believed that he was entitled to be sole and supreme dictator of all things Republican in New York State,)[2] and to the further fact that he ardently desired a place in the Cabinet for his most trusted political lieutenant, Thomas C. Platt.

The opposition to the proposed selections for the Cabinet centred especially on Messrs. Evarts, Schurz, and Key. On Mr. Evarts mainly, it would seem, because he was disliked by Mr. Conkling and because he had not been active in party politics.[3] Many objections were urged against Mr. Schurz. He had not been consistently "regular" in party fealty; he had been foremost in condemning President Grant's Administration; had been one of the most conspicuous men in the Liberal Republican

[1] "For many weeks before there was any evidence that Mr. Hayes intended to offer Mr. Evarts a place in the Cabinet, public opinion had designated him for Secretary of State with a unanimity which betokened universal recognition of his claims on the score of merit and qualification." (Editorial, New York *Herald*, March 7.)

[2] "Conkling was so swallowed up in his own egotism that the whole world around him was unseen. True to his own desires meant fidelity to party, to duty, to country. His admirers shared largely in his own delusions." (From letter of Mr. Hayes to William Henry Smith, June 11, 1888.)

[3] An indication of the feeling of the Stalwart Republicans in New York toward Mr. Evarts is afforded in a letter of Mr. T. C. Platt to Mr. Hayes, written September 23, 1876, in which he said: "I do not hesitate to express the opinion that if Hon. George William Curtis's favorite candidate, Mr. Evarts, had been nominated [for Governor of New York], he would have been defeated beyond a peradventure. The working Republicans of the State would not have supported a man who has never shown his faith by his works, who has received wealth and honor from an Administration which he has publicly abused and vilified, and whose record as a Republican has been more than doubtful."

movement of 1872 and in the Fifth Avenue Hotel Conference of 1876; he was too much of an idealist for this practical, work-aday world; he had been too outspoken in criticism of the methods and measures of the little coterie of "Grant Senators," and in denouncing their low and sordid views of politics; he had not shown in his many different activities that he possessed administrative ability; he was the very embodiment of the fantastic idea of civil service reform. His presence in the Cabinet would be an affront to every statesman, the first article of whose faith was the sacred duty of party regularity and who saw with alarm the threatened attack on his prescriptive right of patronage. Opposition to Mr. Key was solely on the ground that he was a Democrat. Surely things were coming to a pretty pass when a Republican President thought it advisable or desirable to invite a member of the defeated party, however able and distinguished, into the inmost circle of governmental authority. The millennium was not yet come and no such transcendental performance should be sanctioned or tolerated.

It was with such thoughts uppermost in the minds of many that the Senators assembled Wednesday morning. The question of the seating of Kellogg, which the sudden adjournment of the day before had left in the air, was again taken up, and Mr. Blaine repeated with fresh truculence the views he had then expressed. Just as the heated discussion came to an end, the President's private secretary, W. K. Rogers, appeared in the chamber bearing the Cabinet nominations. The Senate promptly went into executive session and the mutinous spirit which animated the controlling Republican leaders was quickly made manifest. It had been the practically invariable custom of the Senate to confirm Cabinet appointments immediately on presentation, and without reference to committees. It had been the unwritten rule of the Senate, seldom if ever transgressed, to confirm with similar promptitude the nomination to any office of a member of the Senate or of any man that had been a member thereof, the reasonable presumption being that the Senators were already so well informed of such a man's qualification that reference to a committee was superfluous. But now both these long-established and well-founded precedents were lightly set aside. The rules of the Senate, to be sure, required the reference of all

nominations to the appropriate committees; and the rules could be waived only by unanimous consent, which previously in such cases had always been granted as a matter of course. But now, on the motion to confirm the nomination of Mr. Evarts, whose name naturally took precedence, Mr. Cameron at once objected, and Mr. Blaine moved that it be referred to the Committee on Foreign Relations when that committee should be constituted. Discussion followed in which several Senators participated who expressed indignant disapproval of one or another nomination. Specially vigorous were the objections made to Mr. Schurz and to Mr. Key. The outcome was that all the nominations, even that of Senator Sherman, were referred to various committees.

The inference drawn by the press and the people of the country, when this unprecedented procedure of the Senate became known, was that the Republican leaders of the Senate seriously contemplated the rejection of some or all of the Cabinet nominations. The Democrats were elated at the prospect of dissension and division among the Republicans. The Senators of that party met in caucus Wednesday evening for conference in regard to the course they had better pursue. While no formal action was taken a disposition was manifested to foster Republican confusion and to refuse to vote for confirmation of the Cabinet unless positive assurances were given from the White House that Packard and Chamberlain, as Governors respectively of Louisiana and South Carolina, were not to be sustained. But certain of the wiser Senators from the South deprecated any attempt at bargaining.

Throughout the country the nominations to the Cabinet were received with a storm of enthusiastic approval, and the conduct of the Senate was condemned and denounced. Commendatory dispatches and letters from representative men poured into the White House accompanied with earnest exhortation to the President to stand firm. The leading papers of the country in their editorial utterances reflected the popular approval and likewise urged the President not to yield an inch to senatorial assumption and dictation. But Mr. Hayes, conscious of the rectitude of his purposes, and not easily affrighted by factious opposition, needed no exhortation to remain steadfast in a position he had on due reflection once deliberately assumed.

On Thursday the Senate so far receded from its position of the day before as to confirm the nomination of Senator Sherman. This followed after an hour's debate, the reason assigned for an exception in his case being that it was necessary to know whether he was a Senator or not before the committee assignments were announced.[1] The attitude toward the other nominations remained unchanged, and Senator Cameron spoke in favor of the rejection of most of them. Friday the committees were announced and the nominations were referred, as ordered on Wednesday, to those concerned with the duties of the various Departments. Senator Cameron, who had been constantly busy among the Senators, Democrats as well as Republicans, fomenting opposition to the nominations, sought to have the Senate adjourn till Monday, but the motion was decisively voted down.

Meanwhile the Senators that had so boldly set out to teach the President that it was his duty to defer to their superior wisdom, were hearing from the country. Word was reaching them of meetings of representative men, held in New York, Philadelphia, and many other important cities, which adopted resolutions commending the President's inaugural address and his Cabinet appointments and condemning their conduct; telegrams from influential party men, from political clubs, and from commercial bodies were streaming in upon them from all parts of the country, imploring confirmation without delay; and the powerful and practically unanimous voice of public opinion, echoed and emphasized by the newspaper press, was penetrating their consciousness with its imperative admonition. Bewildered and dazed by the popular indignation that their purblind antagonism to the President had evoked, they were perforce compelled to admit that they had misread the signs of the times, and they hastily, albeit sullenly, fled to cover. By Saturday morning, when the Senate reassembled, the last remnants of opposition appeared to have melted away. When the nominations were favorably reported by the various committees, no member had the temerity to object to immediate consideration, though a single objection would have postponed action. Even the enemies

[1] Twelve votes were cast against the confirmation, certain Democrats opposing Mr. Sherman because of his activity and speeches in the Louisiana election dispute.

of Mr. Schurz did not venture to raise their voices. So that, after all the bitterness and bickering of the week, Messrs. Evarts, Schurz, and Key, whose nominations had excited most repugnance, were confirmed with only two opposing votes, and Messrs. McCrary, Devens, and Thompson without a dissentient voice.[1] But the whole incident had served a good purpose by showing the country in a striking manner the pettiness of motive which had stirred certain great party leaders to captious opposition, and by clearly revealing the equable temper and unyielding firmness in a trying situation of the new President.[2]

Mr. Hayes in his diary, March 14, gave this brief and colorless summary of the Cabinet complication: —

[1] Mr. Cameron was so greatly piqued by his failure to get his son appointed to the Cabinet and by the confirmation of Mr. Evarts, whom he intensely disliked (with whom he, as chairman of the Foreign Relations Committee, would have to be closely associated), that he promptly resigned his seat in the Senate. (New York *Herald*, March 13.) On his instruction, his Pennsylvania Legislature obsequiously elected Don Cameron as his successor.

[2] Senator Edmunds, who was ill and unable to be in his seat during the Cabinet discussions, correctly apprehended the situation, as is shown by the following letter, written on the day when the nominations were confirmed: —

WASHINGTON, March 10, 1877.

DEAR MR. PRESIDENT, — I am sorry that being confined to my house by illness since the first of March, and the prospect of being for some time to come unable to go about town, have put me under the necessity of making my congratulations to you in writing.

I hope you will not have been disturbed at the perhaps not entirely unnatural feeling, that in some quarters has presented itself. The situation is so unique, and the reality that a President really means to keep his promises made before election, that it is not at all surprising that the great chiefs should ruffle their feathers a little. I cannot but hope, however, that after a space all will see their way clearly to pull together. — Very respectfully yours,

GEO. F. EDMUNDS.

George William Curtis, in *Harper's Weekly* (March 24), displayed like penetration: "It is very hard for an old politician to believe that a party man may have political convictions which he will not yield to what is called party necessity. . . . Here was a President who was more of a patriot than a partisan, who regarded public questions with the humane eye of statesmanship, more mindful of the general welfare than of party or personal advantage. Yet he had proposed principles only, not measures, and principles which his party has always professed, when the attack was made, and by implication, by innuendo, by assumption, he and his policy, as yet unknown, were denounced to the country. The effort was made to discredit him with his party before a single measure was proposed; and the party whip was cracked for the double purpose of coercing him to the will of the old leadership, and of exciting against him in advance the suspicion of his political friends."

PRESIDENT HAYES AND CABINET

At the President's right, William M. Evarts, George W. McCrary, David M. Key
At his left, John Sherman, Richard W. Thompson, Charles Devens, and Carl Schurz

The chief disappointment among the influential men of the party was with Conkling, Blaine, Camerons, Logan, and their followers. They were very bitter. The opposition was chiefly to Evarts, Key, and Schurz, and especially Schurz. Speeches were made, and an attempt to combine with the Democrats to defeat the confirmation of the nominations only failed to be formidable by the resolute support of the Southern Senators like Gordon, Lamar, and Hill. After a few days the public opinion of the country was shown by the press to be strongly with me. All of the nominations were confirmed by almost a unanimous vote.

The expressions of satisfaction from all parts of the country are most gratifying. The press and the private correspondence of Rogers and myself are full of it.[1]

Of the members of the Cabinet the three ablest men — and there were few men of their period of greater ability — were Messrs. Evarts, Sherman, and Schurz. They were all men whose achievements had given them international fame. In all the land there was no lawyer of wider repute, of larger accomplishment, or of ampler capability than Mr. Evarts. He had been chief counsel for President Johnson in the impeachment trial, presenting an argument in defense on constitutional grounds, the convincing power of which no one will now dispute, and he was Attorney-General in Johnson's Cabinet the last few months of that most unpopular Administration. Extreme Republicans had never quite forgiven him for his association with Johnson. Before the Geneva Court of Arbitration he had been the leading counsel of the United States in presenting and defending the Alabama claims, doing his share with a thoroughness and efficiency that contributed greatly to the success of the American plea. And just now he had freely given his services as chief counsel of the Republican party in defending the party's cause before the Electoral Commission. His argument against the right of Congress to interfere with state authority in appointing Presidential electors, or to review its action, was unanswerable. Besides his fame as a lawyer Mr. Evarts had also won deservedly high repute as an orator both on the hustings and on great memorial occasions. In the whole country, by common consent,

[1] One note of commendation which the President highly prized came from Cambridge, Massachusetts, dated March 9. It was in the handwriting of James Russell Lowell and said simply: "The course of the President is what we expected and heartily approve"; and was signed J. R. Lowell, Henry W. Longfellow, Charles W. Eliot, F. J. Child, and C. E. Norton.

no man was better equipped to continue the great traditions of the Department of State.

Nor were there many men of discernment at that time — none, now — that would have denied the accuracy of the judgment expressed by Mr. Hayes in his letter inviting Mr. Sherman to be Secretary of the Treasury — that he was the man best fitted in the nation for that most important post. He had been a leader of the Republican party from its very beginning and continuously in Congress. In the House of Representatives, to which he was elected first in 1854, he soon gained distinction by his admirable powers in debate, his clear knowledge of public affairs, and his excellent judgment. Succeeding Mr. Chase in the Senate, when the latter became Secretary of the Treasury, he had, as a member, and now for many years as chairman of the Finance Committee, played a large part in shaping the financial legislation of the country. He was more largely than any other one man responsible for the authorship and adoption by the Senate of the act to provide for the resumption of specie payments; and so was in complete sympathy with Mr. Hayes's financial views and purposes. He possessed to an unusual degree the confidence and respect alike of his fellow statesmen and of the general public, as a wise and prudent counsellor and as a vigorous and patriotic advocate and defender of the principles he espoused.

Mr. Schurz had less of practical achievement to his credit than either Mr. Evarts or Mr. Sherman; but his career had been tinged with the glamour of romance, and he had impressed the country as an ardent, brilliant, and resourceful champion of whatever political course he believed at the time to be right. He would never temporize with his convictions nor compromise his principles for the sake of momentary success. Like many other German patriots, after the abortive revolutionary struggle of 1848, he had come to this country, imbued with fervid republican beliefs and aspirations, here to find his home and to labor in the cause of better political life. He naturally allied himself with the new Republican party, and as orator (alike in German and English, of which he attained singularly felicitous mastery), editor, soldier, and statesman, he fought with unquenchable ardor in the struggle for freedom, for wise reconstruction, and

for purer administrative methods, maintaining throughout his lofty idealism of character and his glowing faith in the Republic. It was quite inevitable that he should oppose and criticize the tendencies of the controlling forces of the party under General Grant's Administration and throw himself heart and soul into the Liberal Republican movement of 1872, which the nomination of Horace Greeley doomed to certain disaster. It was equally inevitable that the character of Mr. Hayes and the assurances of his letter of acceptance should attract his enthusiastic championship. Throughout the canvass Mr. Hayes had no more zealous or effective supporter. He came into the Cabinet in perfect accord with Mr. Hayes's reform ideas and eager to assist in their realization.

The other four men, though less notable, were men of solid attainments, of acknowledged ability, and of unblemished character; and they believed sincerely in the general policy Mr. Hayes proposed to follow. Each one of them was well known and highly regarded in his own part of the country, and in the months just past Mr. Key, in the Senate, and Mr. McCrary, in the House, had gained distinction by the moderation and wisdom of their course in relation to the electoral dispute. Judge Devens had served gallantly during the war, rising for meritorious service to the rank of brevet major-general, and as associate justice of the Supreme Court of Massachusetts had won an enviable reputation as a jurist. Doubtless the weakest appointment was that of Mr. Thompson, though he did not prove inefficient. But Mr. Thompson had been conspicuous in political life for nearly forty years, having served as a Harrison elector for Indiana in 1840. No campaign orator in the Central West had a fairer reputation for eloquence and effectiveness. He was known to have been the author of the Republican platform of 1860, and his skill in draughting platforms had often been called in requisition. Though he was already advanced in years, his vigor was unabated, and he came to his high position with the respect and confidence of all who knew him well and with a zealous determination to render faithful service.

Taken as a whole, the Cabinet proved to be, as it promised at the beginning, one of the ablest and most harmonious that the country had ever had. Contemporary opinion gave it

hearty acclaim and subsequent judgment finds that acclaim fully merited. The members worked together without friction, devoted to their duties and loyal to their chief, for whom with constant association their respect and esteem deepened and increased.[1] Mr. Hayes gave them all his full confidence and support; but his closest relations, his most intimate intercourse, were with Mr. Sherman, who had long been his friend, and with Mr. Schurz, to whom, by reason of mutual intellectual sympathies and political ideals, he became affectionately attached.

[1] The Cabinet continued without change until December, 1879, when Mr. McCrary was appointed District Judge for Iowa. He was succeeded by Alexander Ramsey, of Minnesota, who was long a Senator and had filled many other offices. In August, 1880, Horace Maynard, of Tennessee, recently Minister at St. Petersburg, succeeded Mr. Key, who also was appointed District Judge — for East Tennessee. In January, 1881, Nathan Goff, of West Virginia, became Secretary of the Navy, Mr. Thompson having resigned to become chairman of the American Advisory Committee of the Panama Canal Company.

CHAPTER XXVIII

THE SOUTHERN PROBLEM

THE first subject to demand the serious attention of the new Administration was the disposition of the Southern problem. The problem was acute and the demand was exigent. President Grant had paltered with it, hesitating, for consistency's or policy's sake, to abandon the attitude he had long maintained or to take decided action while the Presidency hung in the balance. What he might have done had the count been quickly completed, it is useless to speculate upon, though certain intimations he had given and his final dispatches [1] in relation to the matter afford basis for the belief that he probably might, in that event, have reversed the course he had hitherto steadily pursued.[2] Only two days of his term remained when the

[1] The Washington correspondent of the New York *Tribune*, who seems to have been most careful in his statements, telegraphed the *Tribune*, February 28, that there was "unquestioned authority" for stating "that the President has determined, as soon as the counting of the electoral votes is completed, to change his policy toward the dual governments in Louisiana." And the next day, in reply to a dispatch from Packard, who had heard of the President's contemplated change of policy, this dispatch was sent: —

EXECUTIVE MANSION,
WASHINGTON, D.C., March 1, 1876.

To GOVERNOR S. B. PACKARD, New Orleans, La.: —

In answer to your dispatch of this date, the President directs me to say that he feels it his duty to state frankly that he does not believe public opinion will longer support the maintenance of State Government in Louisiana by the use of the military, and that he must concur in this manifest feeling. The troops will hereafter, as in the past, protect life and property from mob violence when the state authorities fail, but under the remaining days of his official life they will not be used to establish or pull down either claimant for control of the State. It is not his purpose to recognize either claimant.

C. C. SNIFFEN, Secretary.

[2] John Sherman in a speech at Mansfield, August 17, 1877, said: "He [President Grant] would not recognize Packard as Governor, but I know, what is now an open secret, the strong bent of his mind, and at one time his decision was to withdraw the troops, to recognize Nicholls, and thus end this dangerous contest. He did not do this, but kept the peace."

Compare also: "Senator Jones, of Nevada, one of the particular friends of

count was finished, and he evidently believed — quite sensibly — that in that time it was unwise either to forestall the probable action of his successor or by any new order to add further difficulties to the complexities of the situation.

The Southern problem, in its present aspect, had been narrowed down to Louisiana and South Carolina. All the other Southern States, one after another, by the use at times of methods which even their authors and enforcers could justify only on the grounds of what they believed exculpatory necessity, had cast off negro and carpetbag rule, and established the control of the white Democrats, — who were the overwhelming majority of the intelligent and property-owning white people, and with whom most of the old Whigs of ante-bellum days were now identified. The violence, the outrage, and the fraudulent voting which had been incident to this "peaceful" political revolution had been condoned by Southern sentiment and vehemently reprobated by the general moral sense of the North; though more and more people of the North were inclined to extenuate these iniquities as necessary in the interest of civilization; and, anyway, as of no political concern to any States except the ones involved.

At the date of the election in 1876 only three Southern States still had Republican Governors, Louisiana, South Carolina, and Florida; and Kellogg, in Louisiana, through the stormy period of his incumbency, had been able to maintain his authority only by reason of the protection of the federal army. In all these States the Democrats claimed the election of their state tickets, even though the Republican electors were declared to have been chosen; and they were determined to enforce their claims. In Florida, the State Supreme Court sustained the contention of the Democrats, the Republicans yielded under protest to the court's decision, and the Democratic Governor and Lieutenant-Governor were quietly installed. The prevailing sentiment of the State approved the consummation, and the protest of the

General Grant, in recently saying that President Hayes's Southern action was a necessity, added: 'The election of President Hayes was all that prevented General Grant from pursuing the same course. I know that six months before the inauguration of Hayes, Grant had determined that the colored voters of the United States could not be protected by United States troops.'" (*Harper's Weekly*, August 24, 1878.)

Republicans fell on ears dull to all subjects but the absorbing question of the Presidential succession.

But things were far otherwise in Louisiana and South Carolina. In both these States rival State Governments were set up, the Republican claimants acting under the sanction of the finding of the Returning Boards; the Democratic contestants relying on the face of the uncorrected returns and appealing to the courts in justification of their procedure. In South Carolina the rival executives were Governor Chamberlain and Wade Hampton; in Louisiana, S. B. Packard and Francis T. Nicholls. The former, with the Republican portion of the Legislature in each State, were in possession of the state capitols and the state archives. But Messrs. Hampton and Nicholls had established executive offices outside, and the portion of the Legislatures that adhered to each of them had found a regular meeting-place in a public hall. Only by the presence and protection of federal troops were Messrs. Packard and Chamberlain able to sustain themselves in position and to maintain a show of authority; neither had a militia force of any account. Predominant public opinion — that of the intelligent and propertied classes — in the two States supported Messrs. Hampton and Nicholls. Men formed military organizations which were ready to act in their behalf, and freely made advance payment of taxes or contributions to furnish them with means to carry on the government. In South Carolina the Supreme Court and courts of lower jurisdiction recognized the Hampton Government. In Louisiana confusion was worse confounded by the existence of rival Supreme Courts. President Grant refused to take a decisive stand, and refused likewise to withdraw the federal troops; but these were ordered merely to maintain the *status quo* — to keep the peace, to prevent an armed collision between the partisans of the rival administrations. He was evidently wavering in his confidence in the wisdom of the policy long pursued; evidently waiting to see the outcome of the Presidential contest.

Meanwhile the supporters of Hampton and Nicholls were also waiting patiently and hopefully for the same event, and were refraining from the employment of force. At the same time, in earnest and dignified pronouncements they were presenting their grievances and claims to the country, and were appealing

to the good sense of the nation to be treated as were the people of other States — to be left alone to determine and settle their own political disputes by the machinery of their laws and courts without the interference or direction of federal authority. Whatever the result of the Presidential count they believed or hoped that it would work to their advantage. With Tilden inaugurated there could be no doubt what would happen. And Mr. Hayes's letter of acceptance, reënforced by assurances given them of late by close friends of Mr. Hayes that he had not changed his views or intentions,[1] encouraged them to hope that likewise with him as President the end they sought would be attained.

Undoubtedly the deepening conviction on the part of Northern Republicans of judicious temper was adverse to the national policy long exercised toward the South. Whatever may have been the necessity of its adoption and continuance in the early years of reconstruction, — and that necessity they thought beyond dispute, — they felt now that the time was come for its modification. Certain it was that it had not accomplished what had been hoped of it; it had not brought about cordial relations between the races; rather it had provoked increased misunderstanding and animosity, which flamed forth in outrages and terrorism, and sent masked men abroad at night to kill and burn: certain, too, that the State Governments it had protected by force of arms were a stench in the nostrils of honest men by reason of the ignorance, the injustice, and the appalling corruption that defiled their administration. Nor had the policy been successful regarded solely from the low plane of party politics: it had not preserved the Republican party in the South; it had weakened the Republican party in the North. Moreover,

[1] For example, the letter to General Gordon and John Y. Brown by Charles Foster and Stanley Matthews; and John Sherman in a letter to Mr. Hayes of February 17 said: "I have carefully considered the giving an assurance of your views on the Southern question, but do not see my way clear to quote you or even to say that I have received a letter from you on the subject. I talked with Boynton about it and with many Southern men, and have said that you undoubtedly would stand by the words of your letter of acceptance in spirit and in substance; and that you would make the Southern question a specialty in your Administration, but I have not quoted you directly and did not think it wise to do so. You have gained largely by your silence and caution since the election, and I do not wish to impair this by quoting you. To those who wish to be convinced I give ample assurance."

it was indisputable that in the Southern States which by whatever means had thrown off negro and carpetbag domination, fewer outrages occurred, purer government existed, and greater quiet and prosperity prevailed.[1] On the score alike of patriotism and of party expediency, therefore, Republicans who were affected by the considerations just set forth were ready to welcome any action by the new Administration that promised to relieve the Government and to rid public discussion of the long embarrassing and wearisome Southern problem.[2]

The radical wing of the party, on the other hand, in which was still to be found a considerable proportion, if not, indeed, a numerical majority, of the Republicans of the North, refused to look calmly at the facts of the situation or to admit their force. They could think of the Democrats of the South, at least in all their relations to politics, only as unrepentant Rebels who ought to be kept down with a strong hand. Suppose these did suffer

[1] Senator Key, in February, 1877, writing to Bangor (Maine) Democrats who had invited him to attend a Washington birthday celebration, used this language: "There is no disturbance, no conflict in any State which is left to govern its own affairs. They occur only where unscrupulous men impose upon the colored people to maintain power and place by which they may rob a weak and helpless people. What we need is the confidence of our Northern brethren — evidence that they can trust our honor and our manhood. It has been long since this has been manifested toward us. 'Brethren, let us love one another.'"

[2] Compare speech by Congressman William P. Frye at reception accorded him by his constituents, Friday evening, March 9, 1877, reported the following day by the Lewiston (Maine) *Journal*. He said: "We must remember that slavery existed in this country for over a century, and that its leprous touch was put on the whole South. You have no right to expect that the South shall rise to the standard of patriotism and virtue of our Pilgrim Fathers. You have made those freedmen free and put the ballot in their hands. You have lifted them from the earth and clothed them with power equal to that of the white man. Can you expect white men to look on quietly and accept their late slaves as equals at the ballot-box and their superiors in office? You and I would rebel against that order of things. As good citizens, it is our duty to extend the olive branch and forgive, having always before us one simple purpose, and that the good of the country we love. Our President is now extending the olive branch again. I trust the South will accept it, and that new life will be infused into the whole country. . . . I think the Southern problem would have been solved long ago if political sagacity had been exercised eight years ago in the matter of appointments to office. For this reason the Southern problem is to-day twenty times further from solution than it should be. Unfortunately, we have allowed political vagabonds, United States Senators and Representatives from the South, to hold patronage, and deliver it out among their miserable adherents. Hence the stigma, 'carpetbagger,' falls on every Northern man in the South."

from corrupt carpetbag and ignorant negro rule; it was no more than they deserved for their stupendous wickedness in seeking to destroy the Government, and for their unaccountable perversity in not at once accepting the full consequences of negro enfranchisement. They had sown the wind; let them reap the whirlwind; and let the patriotic men that had saved the Union see to it that the whirlwind was kept fiercely blowing. It would be nothing less than treachery to all the traditions of the party for a Republican Administration at Washington to deny recognition and support to Packard and Chamberlain, the only two Republican Governors left south of Mason and Dixon's line. What if that did involve the continued use of the federal army to impose their administration on Louisiana and South Carolina? Let justice be done though the heavens fall! What had the temper and resistance of the intelligent and conservative classes of those two States to do with the case? How idle and inconsequential to be talking of practical considerations when principles were at stake! And so, on and on, to the end of the chapter.

Moreover, the naked logic of the situation seemed to be with those who reasoned or felt in this wise. Were not the titles to office of Packard and Chamberlain of precisely the same quality and warrant as those of the Presidential electors of Louisiana and South Carolina, without whose votes Mr. Hayes could not have been President? How could he refuse to recognize those men as the lawful Governors of their States and then fail to defend them in the exercise of their function without impugning the validity of the title on which his own authority was predicated? That was the question defiantly vociferated in the Senate by Mr. Blaine, before the echoes of the conciliatory expressions in Mr. Hayes's inaugural address had ceased to reverberate. And to those who looked only at the surface of things the question was unanswerable. Even in that case, however, the facts of the situation, the practical difficulties that must be faced, could not be puffed away with a breath of logic. They remained with their inexorable potency of mischief.[1] If need there was,

[1] Writing to Richard Smith, editor of the Cincinnati *Gazette*, February 17, 1877, Joseph Medill, editor of the Chicago *Tribune*, said: "But what shall be done in Louisiana and South Carolina? These are the crucial tests. If President Hayes undertakes to keep Packard in the Governor's chair there will be 'organized h—l' all the time. He will go around like a man with a thorn in his foot, without

in the interest of peace and quiet and orderly government (sustained and approved by intelligent local opinion), and in deference to proper interpretation of constitutional authority, for the President to incur misconception and charges of inconsistency from members of his own party, then, unquestionably, not only wise statesmanship, but a conscientious sense of duty required him to take the risk; to scorn the misjudgment and denunciation that might immediately follow on his action and serenely to await the calm survey of the future to justify and approve his course. It is the weak man who had rather continue a wrong than be charged with inconsistency. It is foolish and futile statesmanship that permits itself to be bound hand and foot by the coils of unyielding logic, and so refuses to deal with conditions that have become unbearable by sensible compromise and practical accommodation.

As a matter of fact, however, no charge of inconsistency could fairly lie against the President if he withdrew the federal troops from the precincts of the capitols of Louisiana and South Carolina and left those States to determine their disputes by their own agencies of government. The limits of the right of the Federal Government to use the army in state affairs are exactly defined by the Constitution — to preserve a republican form of government, to repel invasion, and, on proper appeal from state authority, to quell domestic insurrection that the State is unable to cope withal. Suppose the interpretation of these provisions of the Constitution had in recent years been stretched, however plausibly and sincerely, to cover a multitude of interferences in state affairs of questionable propriety; must these doubtful

peace or freedom from pain until it is extracted. He will have to hold Packard up by bayonets and gunboats, and put down insurrections about once in ninety days; and we shall be expected to defend and justify such federal interference in behalf of an odious carpetbag desperado as the South regard him. . . . There is only one thing to do in the premises, namely, to drop Packard. . . . So of Chamberlain; he should be retired from the gubernatorial chair, which he cannot hold a minute if the troops are removed. Chamberlain is a pretty good man for a carpetbagger, and while it would not create so much bitter discontent in the South to keep him in the Governor's chair by means of federal musketry, as it will Packard, still it would be vastly better if he would retire. We have tried for eight years to uphold negro rule in the South, officered by carpetbaggers, but without exception it has resulted in failure and almost ruin to party. Statesmanship consists of making the best use of the means at command, and of producing popular contentment."

precedents be forever followed? Was it not altogether wiser — and safer for our institutions — to hark back to the Constitution itself and take fresh observations to direct our course? We could not forever treat the Southern States, or any of them, as special cases, not entitled to all the rights — the same rights — under the Constitution that all other States possessed. Now that they were restored to their proper practical relations within the Union, no policy should be exercised toward them that would not under similar circumstances be enforced toward Massachusetts or Ohio.

Indeed, precisely the same principles of strict regard to the rights of the States to appoint Presidential electors in what way they chose, and to determine by their own machinery who were the electors appointed, which had been observed by the Electoral Commission, equally demanded that the States should be uncontrolled by federal authority in determining who were their chosen state officers. If any inconsistency appeared in these two determinations, what concern was that of the Federal Government? Unless a republican form of government was imperilled, or insurrection resulted which state authority could not suppress and so asked federal aid, the Constitution did not justify the general Government in paying heed to a State's domestic disputes. In Florida, when the Supreme Court of the State had spoken, the Republican claimants to office subsided, under protest, and the transfer of authority to the Democrats was made without a ripple. In Louisiana and South Carolina it was perfectly evident to all who took counsel, not of their wishes and their preconceptions, but of conditions and facts, that, except for the presence and activity of United States soldiers, the Republican claimants to the state offices would have made equally ineffectual protest, and the Democrats would have been in sole and peaceful possession of the State Governments.[1]

It all looks easy in the retrospect. But with indurated prejudices to mollify; with partisan passion to allay; with personal hopes and ambitions to disappoint; with self-seeking party

[1] "No intelligent man, who is politically sane and has watched the situation in the South, can have any sort of doubt that the Packard and Chamberlain Governments would dissolve like the baseless fabric of a vision and vanish into thin air as soon as the federal authority should declare that it would no longer protect them." (New York *Herald*, March 16, 1877.)

leaders and vociferous demagogues, eager to criticize and create obstacles, to deal with or guard against; with ardent friends and supporters giving diametrically opposing advice, the just and proper determination of the anomalous situation in Louisiana and South Carolina came before the new Administration as a problem of exceeding difficulty and complexity. It did not hesitate, however, to meet the problem, though it moved with deliberation and circumspection, as was proper in view of the perplexed state of public opinion and of the varied interests involved. Mr. Hayes recorded in his diary, March 14, a brief declaration which reveals the spirit in which he approached the solution of the problem: —

> My policy is trust, peace, and to put aside the bayonet. I do not think the wise policy is to decide contested elections in the States by the use of the national army.

Already before this, Mr. Stanley Matthews, intimate and life-long friend of Mr. Hayes, and one of the counsel of the Republican party before the Electoral Commission (who, it will be recalled, had united with Charles Foster in writing the reassuring letter of February 27 to General Gordon and John Y. Brown), had been making efforts, on his own initiative, and without the knowledge of Mr. Hayes, to influence Packard and Chamberlain to relieve the situation by facing the inevitable and seeking some sort of friendly composition with their rivals. On February 27, in reply to a letter from Packard urging reasons why the Government should give him recognition, Mr. Matthews had written Packard a frank statement of what he was particular to declare were his individual views. The gist of the letter was contained in these words: —

> Without reference to the rightfulness of the origin of your title of Governor, I am of opinion that circumstances are such that it will be out of the question for the Republican Administration to maintain it, as it must necessarily do, by force of federal arms. As soon as the existing military orders are withdrawn, the Nicholls Government will become the only existing Government, and will have to be recognized then as such. In the meantime it will be the duty of the Administration to take care that the results shall not imperil the right and equity of the colored people of Louisiana, so far as it has lawful power to prevent it, and also to take care that stanch Republicans like yourself, against whom nothing

disreputable can be alleged, should not suffer, and should receive consideration and position in some appropriate way.

Here, plainly, was nothing to flatter Packard's hopes, as that worthy gentleman was quick to perceive. For two weeks he maintained silence within his barricaded office, and then, when Mr. Matthews was a candidate before the Republican caucus of the Ohio Legislature for nomination as Senator to succeed John Sherman, he indited a reply which, with Mr. Matthews's letter, he gave immediately to the press. The reply was, briefly, a determined *non possumus*, declaring: —

> I judge the purpose of your letter to have been, in a friendly way, to accomplish the abandonment by me of the office of Governor, to the end that my defeated opponent might assume unquestioned the office to which I have been elected. Admitting the value of the opinion of one so learned, of so deservedly great influence in the councils of the nation, I am constrained by a high sense of duty to unqualifiedly decline to entertain any proposition to relinquish or to abandon the position which I hold.

If the design of the publication of this correspondence at that particular moment was to injure Mr. Matthews's chances for the Senate, it failed. Equally ineffective was the clamor raised on account of his letter to Governor Chamberlain. That was written March 4. Senator Gordon, of Georgia, and Mr. Haskell, chairman of the South Carolina Democratic State Committee, had asked Mr. Matthews to intercede with President Hayes to withdraw the troops from the State House at Columbia. Mr. Matthews suggested to them that a better way possibly out of the tangle would be to induce Governor Chamberlain to seek an understanding with Hampton, even at the sacrifice, if need be, of his own personal interests. At their request he consented to embody his suggestion in a letter to Governor Chamberlain, being careful, however, to make it clear that he was acting solely on his own responsibility. Mr. Evarts also was consulted, and he appended to what Mr. Matthews had written a few lines of friendly but non-committal endorsement. The letter was entrusted to Mr. Haskell, who hastened to Columbia and March 6 laid it before Governor Chamberlain. The latter was evidently offended at receiving the communication from the hands of the Democratic State Chairman and he was in no mood to consider

compromise. He at once sent the following dispatch to Senator-elect Corbin at Washington: —

COLUMBIA, S.C., March 6, 1877.

THE HON. D. T. CORBIN, — I have just had a long interview with Haskell, who brings letters to me from Stanley Matthews and Mr. Evarts. The purport of Mr. Matthews's letter is that I ought to yield my rights for the good of the country. This is embarrassing beyond endurance. If such action is desired I want to know it authoritatively. I am not acting for myself, and I cannot assume such responsibility. Please inquire and telegraph me to-night.

D. H. CHAMBERLAIN.

Mr. Corbin promptly gave the dispatch to Mr. Blaine, glowing with pleasure at the thought of the sensation he had a few hours before created in the Senate; and this dispatch Mr. Blaine introduced with dramatic effect in his further attack of March 7, already referred to, although he knew at the time that the letters had not been authorized by the President. Looking directly at Mr. Sherman, he demanded to know who would stand sponsor for such letters. For two or three days, about Washington and in the press, there was a buzz of criticism of Mr. Matthews's superserviceable attempt to relieve the Administration of the South Carolina complication. Then, on March 11, the letters were published, as follows: —

WASHINGTON CITY, March 4, 1877.

HON. D. H. CHAMBERLAIN, COLUMBIA, S.C.: —

MY DEAR SIR, — I have not the honor of a personal acquaintance with you, but have learned to respect you from my knowledge of your reputation. I take the liberty of addressing you now, with great distrust of the propriety of doing so, prefacing it by saying that I speak without authority from any one, and represent only my own views. The situation of public affairs in South Carolina is too complicated to be discussed at length in a note, and yet impresses me as one that ought to be changed by the policy of Republican statesmen in such a way as not only to remove all the controversies that disturb that State, but to remove all embarrassments arising from it to the party in other parts of the country.

It has occurred to me to suggest whether, by your own concurrence and coöperation, an accommodation could not be arrived at which would obviate the necessity for the use of federal arms to support either government, and leave that to stand which was best able to stand of itself. Such a course would relieve the Administration from the necessity, so far as executive action is concerned, of making any decision between the

conflicting governments and would place you in a position of making the sacrifice of what you deemed your abstract rights, for the sake of the peace of the community, which would entitle you to the gratitude, not only of your own party, but the respect and esteem of the entire country.

I trust you will pardon the liberty I have taken, as my motive is to promote not only the public but your personal good.

With great respect,

STANLEY MATTHEWS.

[*Mr. Evarts's endorsement.*]

DEAR GOVERNOR, — I have read this letter and conversed with Colonel Haskell and Senator Gordon on this subject so interesting to us all. I should be very glad to aid in a solution of the difficulties of the situation and especially to hear from you speedily.

With my compliments to Mrs. Chamberlain, yours very truly,

WILLIAM M. EVARTS.

It was seen at once that there was nothing here that any patriotic and public-spirited man might not have written, and that there was no ground for condemning the writers.[1] In any event, the letters did not compromise the President nor in the least embarrass him. And the Republicans of Ohio were evidently not displeased with Mr. Matthews's course, for March 15 they gave him the caucus nomination for Senator.[2] This action was most gratifying to the President, who wrote in his diary (March 16): —

This is an endorsement of the policy of peace and home rule — of local self-government. A number of Southern Republican Members are reported ready to go over to the Democrats. On the other hand, the bar of this District are in a state of mind because Fred Douglass, the most distinguished colored man in the nation, has been nominated Marshal of the District. If a liberal policy toward late Rebels is adopted, the ultra Republicans are opposed to it; if the colored people are honored,

[1] "The letters from Stanley Matthews and Mr. Evarts to Governor Chamberlain do not seem to justify the excitement under which Mr. Chamberlain telegraphed to Washington for an explanation. In the first place, Messrs. Matthews and Evarts wrote on their own responsibility, and offered their advice in a modest and friendly spirit, showing no disposition to dictate, but venturing only a rather vague suggestion. In the second place, the advice — if we can call it by such a positive term — was good." (New York *Tribune*, editorial, March 13.)

[2] Mr. Garfield was at first an active candidate for the succession to Mr. Sherman's seat. But on the advice of Mr. Hayes, who urged that his services were much more needed and would be much more valuable as leader of his party in the House, Mr. Garfield withdrew from the contest. Captious newspapers criticized Mr. Hayes severely for interfering with his perfectly proper counsel.

the extremists of the other wing cry out against it. I suspect I am right in both cases.

Different plans for Louisiana and South Carolina are offered: 1. A new election. 2. Lawful action of Legislatures. 3. Acknowledge Packard and Chamberlain, and leave them to their own state remedies. 4. Withdraw troops and leave events to take care of themselves.

Here I am too crowded with business to give thought to these questions. Let me get a few outside opinions. Judge Dickson.

But already he had given much thought to the whole subject, as his letter of acceptance, his inaugural address, and the many expressions in his letters and interviews abundantly testify. He had no doubts as to the end to be attained; it was only the precise method of attaining that end about which he was undecided; and, despite the protestation just quoted, it is clear that, with all the multifarious cares and duties that were demanding his attention and requiring instant decision, "these questions" were constantly upon his mind; and were at once made the subject of Cabinet discussion. March 20, Mr. Hayes writes: —

Cabinet meeting at 10 A.M.; all present. . . . Louisiana troubles discussed. All but Devens seem indisposed to use force to uphold Packard's Government, and he is not decidedly for it. All finally agreed to send a commission to Louisiana. . . . Mr. Evarts is of opinion that the military can't be used to sustain one government against another in case of contested elections. The States must take care of these matters themselves.

I incline to think that the people will not now sustain the policy of upholding a State Government against a rival government by the use of the forces of the United States. If this leads to the overthrow of the *de jure* Government in a State, the *de facto* Government must be recognized.

And the next day: —

Cabinet meeting full. . . . Talked over commission to Louisiana. Decided to send Wheeler, Brown, Hoar, Harlan, and Lamar. If Wheeler fails, then President Woolsey *vice* Judge Davis. Davis was preferred, but he declined. He advised the commission; thought it would do good.

Two days later: —

It is not the duty of the President of the United States to use the military power of the nation to decide contested elections in the States. He will maintain the authority of the United States and keep the peace between the contending parties. But local self-government means the determination by each State for itself of all questions as to its own local

affairs. The real thing to be achieved is safety and prosperity for the colored people. Both houses of Congress and the public opinion of the country are plainly against the use of the army to uphold either claimant to the State Government in case of contest. The wish is to restore harmony and good feeling between sections and races. This can only be done by peaceful methods. We wish to adjust the difficulties in Louisiana and South Carolina so as to make one government out of two in each State. But if this fails — if no adjustment can be made — we must then adopt the non-intervention policy, except so far as may be necessary to keep the peace.

Thus in these few days the President, with all the other things that occupied his attention, had thought himself clear on the essential elements of the problem and had come to a definite and decided conclusion in regard to the limits of his authority in the premises and the course that he should pursue. Mr. Hayes was always deliberate in making up his mind when a question of large importance came before him for decision, both because he wished to be fully informed of all the pertinent facts relating thereto, and because he wished thoroughly to go over in his mind the probable consequences involved in any decision and to satisfy himself of its wisdom and justice. But once his understanding and reflection had brought him to a determinate judgment in any case, he was prepared to maintain his position with resolute courage and to execute his purpose without hesitation or wavering. In reaching his conclusion in this instance Mr. Hayes had not only had the counsel of his Cabinet, but he had listened patiently to delegations of prominent men from Louisiana and South Carolina, who had pressed upon him information, argument, and appeal in behalf of one or the other of the rival claimants to authority in each of the disturbed Commonwealths.[1]

[1] Mr. Hayes was much impressed in considering the Louisiana situation by the following letter: —

New Orleans, La.,
March 24.

Hon. R. B. Hayes, President.

Honored and dear Sir, — I have been in New Orleans for the past week, and knowing how difficult it is to get at the truth of things, have thought it may be of use to tell you my impressions. As I am quite well acquainted here and mix freely with all classes, and as I am under no suspicion of interested motives or of having an "official duty" to discharge, my opportunities for learning the real feeling of the community have been reasonably good, although I claim no special skill of

The announcement of the decision to dispatch a commission to Louisiana was made to the public on March 21. It was received with varying emotions. Those who had hoped for an

interpretation. If you should attach sufficient importance to it to inquire who I am, you can do so from Hon. Carl Schurz or General Sherman.

The result in my mind is that, whatever abstract justice may seem to demand under a strict construction of the Fifteenth Amendment, the recognition of Packard involves the *present and continued* maintenance of his authority by United States military forces. Upon this point there is no difference of opinion here. As to its being a quiet, though enforced, maintenance, people differ. My own opinion is that there would be frequent strife, an increase of bitter feeling, in short, a continuance of suppressed rebellion ready to break out at a moment's notice, and on slight provocation, in every part of the State. It must be a strong and visible rule of evident and recognized *power*, at the best. Nothing less will do. The white population of the city and State is almost unanimous in refusal to submit to the "Packard Control" except at the point of the bayonet. Under Mr. Packard the Government at Washington would be the Government of Louisiana, except that the details would be administered by incompetent, timid, and half-educated men. I was yesterday in the Republican Legislature, both House and Senate, and also in Mr. Packard's parlor, and although I am and always have been a "Republican" and in every way on the Freedom side, I must frankly say that I should not be willing to trust my interests to the influences and men which there control. A large majority of the Legislature is composed of colored people, who are certainly not above the average of respectable negroes in our cities, and the white members, if I may judge by appearance and manners, are a very second-rate sort of men. Any one individual of decided ability and fair parliamentary training could easily control the whole Assembly. I cannot wonder at the unwillingness of property-holders and educated people to be under the rule of such bodies of men, even if legally elected; but add to this the universal conviction here that the majority of them were *not* so elected, and the obstinacy of resistance is the natural and unavoidable result.

2. If the "troops" are withdrawn without a distinct recognition of either party, the Packard Government will be compelled quickly to give way. I doubt if it could continue a week; many think not an hour. The moderate and most intelligent conservatives say that no attack would be made and no compulsion used, and the leaders would honestly try to prevent it; but the young men and lower classes would be with difficulty restrained, and the fear excited would be such that no legislative or other body would dare to meet. I find the *women*, both mothers and wives, much more outspoken and bitter than the men, and the whole social influence in all circles, especially the highest (and including the religious), is in favor of strong and summary measures. At all events, in one way or the other the Packard party would soon subside, with or without protest, having no inherent strength, if left without external support. The Nicholls Government would then exist *de facto* if not *de jure*, and would soon of necessity be the recognized Government of the State. Whether or not it is possible distinctly to "recognize" Nicholls, I do not pretend to decide. If the question could have been divided at the election, so as to get the real sentiments of the people, it is not improbable that the Republican electoral ticket, and the state Democratic, would have prevailed. I find almost no opposition to the national ticket at present, but, on the contrary, a prevailing contentment, which might easily be

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immediate withdrawal of the troops were disappointed, and were fearful lest the commission plan indicated a shunning of responsibility by the President or a weakening of the purpose

converted into enthusiastic support. Certainly, taking things as they are, the question is clearly divisible, in equity at least, for in their local affairs the greatest possible latitude of choice should be allowed, and those who hold the chief interests of the State should be permitted to control them.

3. Under Democratic rule it is not probable, I fear, that the spirit of the Fifteenth Amendment will be kept, and scarcely the letter of it, for some years to come. Things will settle down to about the same level as in Mississippi and Alabama, and when the blacks are in the majority or approximating it, they will be "discouraged" from voting, with whatever degree of moral or physical force may be necessary to secure the end. They will be entirely free to vote the Democratic ticket and beyond that will have freedom with penalty, if at all. But gradually that will improve, as the colored people advance in thrift and intelligence, as new social and political issues arise, and as the educational interests of the South are better regarded. In the last element the only sure hope for the future is found, and if an education test or qualification for voting could be secured by amendment of the Constitution, we might reasonably hope for enduring peace.

Such results will be slow and not quite satisfactory, but in no other direction is the outlook equally good. I was in New Orleans (in charge of a congregation) part of the two winters immediately succeeding the war, and am sorry to say that nothing has been gained since that time. Both the *color line* and the *party* line are more marked; political and social animosity is plainly increased. A whole generation of young people has grown up, deeply imbued with a sense of injustice suffered and wrongs endured, so that nothing but the hopelessness of resistance prevents an outbreak. The continuance of such a condition of things is neither safe nor wise, even if practicable. From good authority I can state that ten thousand armed militia (no longer *called* White League) in New Orleans, and thirty-five thousand in the other parishes, are ready at a moment's notice. They are well and carefully drilled, ably officered, and held under constraint by strict military discipline. They are willing to serve at their own costs, if possible, and, when needed, voluntary supplies of money come in. Such an organization of men, *with the belief that their cause is just*, cannot be regarded with indifference, scarcely without fear, particularly when we remember that the whole South is in hearty sympathy with them. I am very sure that some method must be found of conciliation, — without sacrifice of the national dignity, — and I believe that the hardships consequent to the colored people, even if great, will be far less than in a continuance of the past policy of government *ab extra*, which will soon be nothing else than a social war of races, in which the weaker must surely be crushed. Few men have worked harder for the Union cause or for the colored race, both slaves and freedmen, than I have, in my humble way; but I would not shrink from the responsibility of the new policy, if it were mine to take, and with it whatever blame might come, of which I know there would be a vast deal. "He serves his party best who serves his country best," and the moral courage of moderation is often greater than that of force.

I trust you will pardon me, Mr. President, for this intrusion. My letter was begun in New Orleans, and I have written much of it in the railroad cars on my way home, where I arrived a few hours ago; it has therefore been written hastily, perhaps badly, but the opinions expressed have been deliberately formed, after

of conciliatory action foreshadowed by his public utterances. Conservative men and journals, however, recognizing the enormous difficulties of the situation, as well as the necessity of winning the support of intelligent public opinion for the action finally taken, welcomed the commission plan as a wise preliminary step.

It was some days before the personnel of the commission was finally settled, as Vice-President Wheeler and certain of the other men, first thought of for members, preferred for one reason or another not to serve. Meanwhile the South Carolina case was taken up. This bristled with fewer difficulties than that of Louisiana, inasmuch as South Carolina did not present the spectacle of dual Supreme Courts. It was perfectly apparent that all the conservative and intelligent forces of society were behind Hampton,[1] who was shown to be elected by a canvass of the same votes that gave a majority to the Hayes electors. Moreover, he was supported by the courts and the civil officers of the State; and every one knew that he had only to say the word and volunteer militia would hasten to sustain and defend his authority; while Chamberlain could not command a corporal's guard, and had no hope that his Government could be established or maintained except by the continuous employment of federal troops to protect him and enforce his authority. Mr. Hayes could see no need of sending a commission to South Carolina. Instead of this device, he prepared the way for the action he was now fully determined to take, by inviting both Chamberlain and Hampton to come to Washington for a personal

careful examination of facts and in opposition to my antecedent wishes. I feel sure that they are substantially correct and that time will verify them.

Earnestly praying for the complete and perfect success of your Administration, and feeling confident of it,

I have the honor to remain

Your Friend and Servant,

W. G. Eliot.

St. Louis, March 26, 1877.

[1] "The South Carolina controversy has almost settled itself. All that remains of it is merely a contest for the possession of the rooms in the State House, and of the books and records kept in them. The Chamberlain officials occupy these rooms under the protection of the federal soldiers, but they exercise no other functions of office whatever." (Columbia correspondence New York *Tribune*, March 29, 1877.)

conference with him.[1] He would thus obtain directly the fullest possible authoritative information of the state of the controversy, and of the pretensions and purposes of the two contestants; he could present his own views, and he could demand assurances against the possibility of riotous action or warlike demonstration. The two men promptly signified their acceptance of the President's invitation,[2] though there were extreme partisans of each ready to advise them to refuse the courteous summons.

[1] The invitation was dated March 23, and was written, under direction, by the President's private secretary. It declared to the two men the President's "purpose to take into immediate consideration the position of affairs in South Carolina with a view of determining the course" which his duty might require him to take. He desired, therefore, a personal conference, as he thought that "the readiest and best mode" of obtaining their "views as to the political condition" of the State. If they could not come to Washington, he would "be glad to receive any communication from you in writing, or through any delegate possessing your confidence that will convey to him your views of the impediments to the peaceful and orderly organization of a single and undisputed State Government in South Carolina, and of the best methods of removing them." The invitation ended with this paragraph: —

"It is the earnest desire of the President to be able to put an end as speedily as possible to all appearance of intervention of the military authority of the United States in the political derangements which affect the Government and afflict the people of South Carolina. In this desire the President cannot doubt he truly represents the patriotic feeling of the great body of the people of the United States. It is impossible that the protracted disorder in the domestic government of any State can or should ever fail to be a matter of lively interest and solicitude to the people of the whole country. In furtherance of the prompt and safe execution of this general purpose he invites a full communication of your opinions on the whole subject in such one of the proposed forms as may seem to you most useful."

[2] Mr. Chamberlain telegraphed that he would start for Washington as soon as the letter of invitation was received. General Hampton awaited the receipt of the letter, and then, March 26, wrote his acceptance of the invitation "through motives of proper courtesy," though he could "not hope to throw additional light on the questions" at issue. But he added, in rather questionable taste: —

"I shall avail myself of your invitation, so that I may reiterate in person what I have the honor to submit in writing: That in my judgment all impediments to the objects so earnestly desired by yourself and so anxiously expected by the people of this State can at once be removed by the withdrawal of the federal troops from the State House. . . . [That done], whatever grievances exist, whatever wrongs we suffer, we propose to redress them, not by a resort to force, but by legal and constitutional agencies. In seeking such redress I feel sure that I represent fully the determination of the thoughtful and conservative portion of our people when I give the assurance that no proscription shall be exercised here on account of political opinions; that no discrimination shall be made in the administration of justice; and that all citizens of both parties, and both parties and both races, shall be regarded as fully protected by and amenable to the laws."

Mr. Chamberlain reached Washington March 27 and General Hampton two days later. At Wilmington, North Carolina, and at Richmond great throngs of people met the latter's train and addresses of greeting and encouragement were made to him. On both occasions he replied, declaring that all he was going to Washington to ask was that the federal troops be withdrawn from the State House and that the government of South Carolina be left to the men that were strong enough to maintain it. At his hotel in Washington he was constantly besieged by men eager to show him attention.[1] Prolonged conferences were had between the President and each of the rival Governors, in which every phase of the dispute, together with the social and political conditions and the state of public sentiment in South Carolina, was thoroughly canvassed. Members of the Cabinet also had opportunity to discuss the situation with the two Governors. Despite the eloquence and insistence with which Mr. Chamberlain pleaded his cause and urged continuance of federal protection, he must soon have felt in the very atmosphere of Washington that he was fighting a losing game; that the epoch in which he had played so conspicuous and on the whole so creditable a part was drawing rapidly to a close. On March 30 he submitted to the President a plan for a commission to recanvass the votes, which was quite impracticable, as it would have been without legal sanction. The following day the Cabinet considered the whole situation, and, at the close of the meeting, the President announced that orders for the removal of the troops from the State House at Columbia would be given to take effect as soon as Messrs. Chamberlain and Hampton had returned to that city.[2] The announcement was received with great jubilation by the friends of Hampton, with bitter reproaches by the implacable radicals, and with a deep sense of satisfaction and relief by

[1] "Governor Hampton has been made a lion in every place since he set foot in the Capital. Early this morning the corridors of Willard's Hotel were crowded with people anxious to get a peep at him. Cards by the hundred were sent to his room, though not one in ten of them was he able to answer." (Washington correspondence New York *Tribune*, March 30.)

[2] "The point of the President's determination is not that Hampton has the better claim to the office; his decision is merely that it is not his place to decide. South Carolina must arrange this matter for herself. . . . The troops are to be removed only because they have no business in their present position." (New York *Tribune*, editorial, April 3, 1877.)

the better public opinion of the country. At last — at last, the end of "reconstruction," with all its temporary and temporizing expedients, with all its doubtful straining of federal authority, with all its interferences in local affairs by the Government at Washington, — necessary or justifiable though these may have been, — was now in sight. Hereafter every State, however much it might have sinned in the past, was to be, so far as the National Government was concerned, the exact equal in all rights and immunities of every other State — unrestricted and uncontrolled, within constitutional limits, to work out its own destiny for weal or for woe.

Mr. Chamberlain yielded to the inevitable, after addressing on March 31 to the President a vigorous defense of his claims and an almost pathetic plea for a continuance of federal support. But his very defense revealed the helplessness of his situation. Any thought of sustaining himself by reliance on his own followers and supporters in the State he declared would be "madness." If the President and his Cabinet had needed any further evidence that South Carolina was able — as it had the absolute right — to settle its own dispute peaceably, this was supplied by Mr. Chamberlain's communication.

The President's decision became effective by the delivery of the following letter: —

EXECUTIVE MANSION,
WASHINGTON, D.C., April 3, 1877.

SIR: Prior to my entering upon the duties of the Presidency there had been stationed by order of my predecessor in the State House at Columbia, South Carolina, a detachment of United States infantry. Finding them in that place, I have thought proper to delay a decision of the question of their removal until I could consider and determine whether the condition of affairs in that State is now such as either to require or justify the continued military occupation of the State House.

In my opinion there does not now exist in that State such domestic violence as is contemplated by the Constitution as the ground upon which the military power of the National Government may be invoked for the defense of the State. There are, it is true, grave and serious disputes as to the rights of certain claimants to the chief executive office of that State. But these are to be settled and determined, not by the Executive of the United States, but by such orderly and peaceable methods as may be provided by the constitution and laws of the State. I feel assured that no resort to violence is contemplated in any quarter, but that, on the contrary, the disputes in question are to be settled solely by such

peaceful remedies as the constitution and laws of the State provide. Under these circumstances, in this confidence, I now deem it proper to take action in accordance with the principles announced when I entered upon the duties of the Presidency.

You are, therefore, directed to see that the proper orders are issued for the removal of said troops from the State House to their previous place of encampment.

R. B. HAYES.

TO HON. GEORGE W. MCCRARY,
Secretary of War.

In accordance with this direction the proper orders were given for the withdrawal of the soldiers from the State House at noon on Tuesday, April 10. On that date the troops withdrew to their barracks, and Mr. Chamberlain quietly surrendered his office to Governor Hampton. The day passed without any sort of demonstration. Mr. Chamberlain, however, signalized the occasion by issuing an address to the Republicans of South Carolina, in which, with perhaps pardonable asperity in view of his personal disappointment, he reasserted the righteousness of his claims and argued the injustice of the refusal of further national protection; but he recognized the futility of resistance and declared that he would "no longer actively assert his right to the office of Governor." He assured his fellow partisans, who were so deeply wronged, as he thought, by the President's action, that "the motives and purposes of the President in his policy were unquestionably honorable and patriotic"; and he "devoutly prayed that events might vindicate the wisdom of his action."

Within a few days all the state offices were in the possession of the Democrats, the Legislature was called in special session, a reconciliation of the dual bodies was effected, and "events" of peace and quiet and industry, under orderly government, honest administration, and courts worthy of respect, began rapidly to bring about that vindication of the President's action for which Mr. Chamberlain had devoutly prayed.[1]

[1] Twenty-four years later, in a calm historic review of "Reconstruction in South Carolina" (*Atlantic Monthly*, April, 1901), Governor Chamberlain wrote: "The overthrow of Republicanism or negro rule in South Carolina was root-and-branch work. The fabric so long and laboriously built up fell in a day. Where was fancied to be strength was found only weakness. The vauntings were turned to cringings of terror. Poltroons and perjurers made haste to confess; robbers came

The tranquil climax of the South Carolina adjustment was a subject of profound satisfaction and of much felicitation to the President. It made the way easier for the commission which by this time was seeking to bring order out of chaos in Louisiana. The commission was composed of Judge Charles B. Lawrence, of Illinois, General Joseph R. Hawley, of Connecticut, General John M. Harlan, of Kentucky, ex-Governor John C. Brown, of Tennessee, and Wayne MacVeagh, of Pennsylvania. These men represented all parties, and their high character and popular esteem were a guaranty alike of the conscientiousness and sobriety of judgment with which they would enter on their duties, and of public confidence in the wisdom and equity of any determination in which they should agree. The task before them was precisely defined in a letter of instructions, written, at the President's request, by Secretary Evarts.

The President, they were told, found the situation of affairs in Louisiana such as to demand his prompt and solicitous attention, inasmuch as one feature of it was "the apparent intervention of the military power of the United States in the domestic controversies" of the State; intervention brought about under his predecessor. The only duty of the President now was to determine the extent and effect of this intervention and to decide when and how to end it. It was not desired that the commission should examine into or report upon the facts of the

forward to disgorge, intent only on personal safety; and the world saw an old phenomenon repeated, — the essential and ineradicable cowardice and servility of conscious wrong-doers. The avalanche caught the innocent with the guilty, the patriot and reformer with the corruptionist, the bribe-giver and bribe-taker. It could not be otherwise; it has never been otherwise in such convulsions. . . . If there is any interest still attaching to the writer's own view, he is quite ready now to say that he feels sure there was no possibility of securing permanent good government in South Carolina through Republican influences. If the canvass of 1876 had resulted in the success of the Republican party, that party could not, for want of materials, even when aided by the Democratic minority, have given pure or competent administration. The vast preponderance of ignorance and incapacity in that party, aside from downright dishonesty, made it impossible. . . . How did the victors use their victory? The just answer seems to be, 'Not altogether well,' but emphatically, 'As well as could have been expected,' — as well as the lot and nature of humanity probably permit. Some unfair, unjust, merely angry blows were struck after the victory was won. For the rest, forbearance and oblivion were the rule. Good government, the avowed aim, was fully secured. Economy succeeded extravagance; judicial integrity and ability succeeded profligacy and ignorance on the bench; all the conditions of public welfare were restored."

JOHN M. HARLAN — WAYNE MACVEAGH

CHARLES B. LAWRENCE

JAMES R. HAWLEY — JOHN C. BROWN

THE LOUISIANA COMMISSION

recent state election or of the canvass of the votes. The reports of the committees of the two houses of Congress had covered that ground. What the President desired to know, in order to decide on his executive duty in the premises, was what were "the real impediments to regular, legal, and peaceful procedure under the laws and constitution of the State of Louisiana by which the anomalies of government there presented may be put in course of settlement without involving the element of military power as either an agent or a make-weight in such settlement." The unusual circumstances attending and following the state election and canvass may have delayed the assuagement of the feelings engendered by a close and zealous political contest. But the President hoped that the mass of the people of the State were "now prepared to treat the unsettled results of their state election with a calm and conciliatory spirit."

It was the President's wish that the commission should strive first to remove "the obstacles to an acknowledgment of one Government." If this proved impossible, endeavor should be made "to accomplish the recognition of a single Legislature as the depositary of the representative will of the people of Louisiana." The Legislature "rescued from dispute, the rest of the problem could gradually be worked out by the prevalent authority which the legislative power, when undisputed, is quite competent to exert in composing conflict in the coördinate branches of the Government."

The President was satisfied by attentive consideration of the Constitution and the acts of Congress that military intervention, "in determining or influencing disputed elections in a State, is most carefully to be avoided." Of course, as Mr. Evarts continued: —

> A case wherein every department of the State Government has a disputed representation, and the State, therefore, furnishes to the Federal Government no internal political recognition of authority upon which the Federal Executive can rely, will present a case of so much difficulty that it is of pressing importance to all interests in Louisiana that it should be avoided. A single Legislature would greatly relieve this difficulty, for that department of the State Government is named by the Constitution as the necessary applicant, when it can be convened, for military intervention by the United States. If, therefore, the disputing interests can concur in or be reduced to a single Legislature for the

State of Louisiana, it would be a great step in composing this unhappy strife. . . .

A second and less important subject of attention during your visit to New Orleans will be the collection of accurate and trustworthy information from the public officers and prominent citizens of all political connections as to the state of public feeling and opinion in the community at large upon the general questions which affect the peaceful and safe exercise, within the State of Louisiana, of all legal and political rights, and the protection of all legal and political privileges conferred by the Constitution of the United States upon all citizens. The maintenance and protection of these rights and privileges, by all constitutional means, and by every just, moral, and social influence, are the settled purpose of the President in his administration of the Government. He will hope to learn from your investigations that this purpose will be aided and not resisted by the substantial and effective public opinion of the great body of the people of Louisiana. . . .

The whole tenor and spirit of this letter are so reasonable and conciliatory and the suggested method of adjustment so simple and practical that it impressed the patriotic sense of the country with the propriety of the President's course. Packard, however, at once addressed a long letter to the President begging him to modify the instructions so as to direct the commission to determine which Government was legal and entitled to recognition; which judiciary was legal, and whether domestic violence and insurrection within the meaning of the Constitution prevailed. But the President's mind was so firmly convinced of the wisdom of the course already decided on that he refused to amplify or to change his instruction.[1]

Meanwhile the President received a petition from New Orleans, signed by hundreds of the leading citizens, — bishops, pastors, lawyers, physicians, bankers, heads of insurance, manufacturing, and business companies, and the like, — praying for the immediate withdrawal of military support from the Packard Government.

We call your attention [the petitioners declared] to the fact, that there is no other Government in the State but that of which Mr. Nicholls is the executive. The attempt . . . to disturb the peace of the State by forcing upon it the so-called Packard Government would bring about anarchy and civil commotion which would continue as long as federal

[1] Packard wrote the President a second letter, of similar purport, a few days later, but to no effect.

interference was persisted in. The pretense to existence on the part of that Government comes only from the support afforded by the forces of the general Government. The troops withdrawn to their quarters, it would disappear from the only building where its authority or even its existence is recognized. . . . We are not politicians. We have no favors to ask of any man. We have no offices to seek. We hope and believe that the President of the United States will recognize without further delay the right of American citizens to self-government, loyally exercised under the law and Constitution. . . . If local self-government is given us, we pledge ourselves for the loyalty of Louisiana to the Union, for the protection of life and property and civil rights of all her citizens, and for the equal benefit of her laws, without distinction of race, color, or previous condition.

The arrival of the commission in New Orleans was awaited with mingled hopes and misgivings by the partisans of both Governments. Both sides made the amplest preparations to present in the most persuasive manner the facts and arguments on which they relied to support their claims. Undoubtedly the Nicholls supporters were the more confident that their cause would be successful, especially after the downfall of Chamberlain. So many and various were the conflicting views and ambitions which the long dispute had engendered that the possibility of attaining a common ground between the contestants seemed almost hopeless. Packard, who was in a state of virtual siege in the old St. Louis Hotel, now used as a State House, beyond the four walls of which he was unable anywhere in the State to make his authority respected, stood stubbornly on his asserted legal rights.[1] Nicholls and his Legislature insisted not only on their rights, which, by their interpretation of the constitution and law, were valid, but also on the fact that they were actually exercising all the powers of government, with the acquiescence, approval, and voluntary support of the great body of the intelligent and taxpaying classes.[2]

[1] Packard made a futile effort to enlist a militia force. His recruiting agents were promptly arrested by the Nicholls police.

[2] "The situation is as follows: The rival Legislatures are both in session passing laws. Packard holds possession of the State House with five hundred metropolitan police armed with muskets. The United States troops are quartered in the adjoining building. Packard's authority is limited to the jurisdiction of the State House and the four streets surrounding it. Within this territory his guards are not molested by Nicholls's forces. All the rest of the city is under the municipal authority which has recognized Nicholls. In the State, out of eighteen

On the very day that the commission arrived in New Orleans, April 6, a mass meeting of citizens, numbering several thousand, was held. It adopted a series of resolutions, expressive of the sentiment, the hopes, and the determination of the intelligent classes of the State, couched in dignified but earnest phraseology. Absolute loyalty and patriotic purpose were declared, while the right of local self-government, "deprived of which a State ceases to exist as such in a constitutional sense," was insisted on. Belief in the legitimacy of the Nicholls Government was affirmed as against the "pretended Government" of Packard, which had not "a single title to respect and confidence," and which, except for "federal interference, would disband without the uplifting of an arm." The sentiments of the President's inaugural address had brought cheer and hope, and despite the disappointing delay of action, the people of Louisiana, appreciating the difficulties of his position, had "confidence in the sincerity of his declarations." They welcomed "the eminent gentlemen" of the commission and would afford them "every facility in their labors"; but they were "opposed to any compromise, the effect of which would be . . . to impair the existing autonomy of the Nicholls Government." They were glad of the presence of United States soldiers when engaged in "lawful and patriotic duties"; and now they asked "nothing of the President but to withdraw them from the upholding of a pretended government, and the performance of his plain constitutional duty of non-interference except in case of domestic insurrection," which did not then exist and which they pledged themselves should not exist in the State of Louisiana. Finally, "with a deep sense of responsibility, with a full recognition of all our [their] obligations as citizens of the Union, in no spirit of threatening or braggadocio, with a profound consciousness of the power of the Federal Government and of our [their]

district judges, thirteen have recognized Nicholls. The other five are on the fence. All the county officers of forty-three parishes, Republican and Democratic, have recognized Nicholls also. In five, half recognized Packard and the other half Nicholls. In the nine remaining parishes the officers elected in November have not qualified. Two hundred and forty colored men elected to various offices throughout the State last fall are said by Nicholls to have qualified by filing oaths with his Secretary of State. Among Nicholls's appointees, twenty-one are colored men." (New York *Tribune*, dispatch from New Orleans, April 4, 1877.)

inability to resist it," they solemnly declared their purpose: "Never to submit to the pretended Packard Government; never to pay it a dollar of taxes; never to acknowledge its authority; but to resist it at every point and in every way, and to require that every demand which it may make upon the obedience of the citizens be enforced only by a present physical power, which we are incapable of resisting."

The efforts of the commissioners were largely devoted to conciliatory interviews with representative men of the opposing parties, who freely gave them advice and information. For a time it looked as if these efforts would prove barren of results. It quickly became apparent that the only hope of bringing about a settlement, or creating an authority competent to deal with the situation in a constitutional way, was by seeking to make one legislative body which should have in both its branches a quorum of members possessing an unquestionable right to their seats on any theory of the election or of the powers of the Returning Board. Gradually a more reasonable temper began to prevail. Overtures were made by the Nicholls Legislature, which, though rejected by the Packard body, began to affect the steadfastness of individual Packard legislators; who doubtless likewise were at last becoming convinced that federal support could not much longer be counted on; and they began to drift over to the Nicholls body.[1] By the evening of April 19, the commission was

[1] General Hawley, in a colloquy in the Senate, April 18, 1888, said of the commission's work: —

"The commission . . . found Governor Packard in the custom-house, I think, really master of about half an acre of ground, and with a police force protecting him there, going, possibly, to his house to sleep; and they found Governor Nicholls in possession practically of the State, with a well-organized force of about three thousand troops. They found the Supreme Court declining to act. They found thirteen of the eighteen district judges Republicans, some of them acting and some not acting, some who were elected having qualified before the Nicholls Board and some having qualified elsewhere. It would have taken from that time to this to decide where the State Government of Louisiana actually was upon those facts.

"The desire of the National Government, the desire of Mr. Hayes and his Cabinet, was that the properly elected members should get together in one Legislature with which he could deal. That Legislature could call upon him for troops if it desired to do so. If the Packard men had the most influence, they could have got men out of the Nicholls Legislature over to the Packard Legislature. The upshot of it naturally was, that without this commission undertaking to coax them to one side or the other, the moment it was distinctly understood

able to telegraph the President that a legal Legislature existed, when it advised the President to give immediate notice of his intention to withdraw the troops from the State House.[1] The President at once gave Secretary McCrary almost identically the same instructions that he had given him in the case of South Carolina. Four days later, April 24, the soldiers were withdrawn to their barracks, while church bells pealed and cannon boomed rejoicingly, and the Packard Government melted away as noiselessly as early frost in autumn under the rays of the rising sun.[2] The next day Packard, following the example of

down there that President Hayes was not to use United States troops to enforce obedience to Packard (which, perhaps, would have created a civil war), the Packard Legislature broke up, and the question was who would get first over into the other Legislature, and in a short time there was a large majority in that Legislature who were legal members according to the Returning Board."

[1] The commissioners included in their dispatch a letter received by them that day from Nicholls, transmitting to them joint resolutions adopted by his Legislature three days before, pledging the Nicholls Government to full acceptance of the war Amendments to the Constitution, to equal and exact justice to all citizens, and "to the promotion of kindly relations between the white and colored citizens." Nicholls in his letter declared that the resolutions expressed "not merely abstract ideas, but the conviction of our people which will be practically executed by them." For himself he averred: —

"I have earnestly sought to obliterate the color line in politics, and consolidate the people on a basis of equal rights and common interests, and it is a source of gratification to be able to say that this great object is about to be realized. I feel that I do but speak the sentiments of the people when I declare that their Government will insure: First — A vigorous and efficient enforcement of the laws, so that all persons and property will be fully and equally protected; and should occasion require it, I will proceed in person where any disorders may menace the public peace or the political rights of any citizen. Second — The establishment of a system of public education, to be supported by equal and uniform taxation upon property, so that all, without regard to race or color, may receive equal advantages thereunder. Third — The fostering of immigration, in order to hasten the development of the great natural resources of the State.

"Having thus committed our Government and people to these great principles, I desire to add the most emphatic assurances that the withdrawal of the United States troops to their barracks, instead of causing any disturbance of the peace, or any tendency to riot or disorder, will be the source of profound gratification to our people, and will be accepted by them as a proof of the confidence of the President in their capacity for orderly self-government. Enjoying, under the blessings of Divine Providence, the happiness resulting from a government based upon liberty and justice, the people of Louisiana cannot fail to appreciate that their good fortune is largely due to the magnanimous policy so wisely inaugurated and so consistently maintained by the President of the United States."

[2] "Nothing is left of the Packard Government except Governor Packard himself and his metropolitan police guard. The President's order for the withdrawal of the troops broke up the Legislature with neatness and dispatch. There was a

Chamberlain, issued an address to the Republicans of Louisiana, reviewing the events of the last few months, and declaring that under compulsion he would "abstain from all active assertion" of his right to govern. "I waive none of my legal rights," he said, "but yield only to superior force." He urged the Republicans to maintain their organization and "to battle for the rights of citizenship and free government." "To all," he concluded, "I counsel peace, patience, fortitude, and a firm trust that eventually right and justice will prevail." And with this noble advice slipping easily from his pen, the last of the carpetbaggers made his bow to the public and passed into obscurity.

Before leaving New Orleans the commissioners addressed to the President a report of their activities and accomplishment, the more significant parts of which follow: —

> In view of the declaration in the letter of the Secretary of State, that we should direct our efforts to the end of securing the recognition of a single Legislature as the depositary of the representative will of the people of Louisiana, leaving, if necessary, to the judicial or other constitutional arbitrament within the State the question of the ultimate right, and in view of your determination to withdraw the troops of the United States to their barracks as soon as it could be done without endangering the peace, we addressed ourselves to the task of securing a common Legislature and undisputed authority competent to compose the existing political contentions and preserve peace without any aid from the National Government. To this end we endeavored to assuage the bitterness and animosity we found existing on both sides, so as to secure public opinion less unfavorable to such concessions as were indispensable to our success in obtaining such Legislature, and such general acquiescence in its authority as would insure social order. We have had full conferences with the two gentlemen who claim the gubernatorial office, and with many members of their respective Governments in their executive, judicial, and legislative departments. We have also conversed very freely with large delegations of men of business, with many of the district judges, and with hundreds of prominent citizens of all parties and races, representing not only this city, but almost every parish in the State. . . .
>
> The actual condition of affairs on our arrival in this city may be briefly stated as follows: Governor Packard (we shall speak of both

last mournful caucus yesterday, at which Governor Packard pleaded in vain for the members to stand by him a few days longer. A resolution was adopted to the effect that it was useless to prolong the contest and advising all members on the rolls of the Nicholls Legislature to go and take their seats." (New York *Tribune*, New Orleans dispatch, April 22, 1877.)

gentlemen by the title they claim) was at the State House with his Legislature and friends and armed police force. As there was no quorum in the Senate, even upon his own theory of law, his Legislature was necessarily inactive. The Supreme Court, which recognized his authority, had not attempted to transact any business since it was dispossessed of its court-room and the custody of its records on the 9th day of January, 1877. He had no organized militia, alleging that his deficiency in that respect was owing to the obedience to the orders of President Grant to take no steps to change the relative position of himself and Governor Nicholls. His main reliance was upon his alleged legal title, claiming that it was the constitutional duty of the President to recognize it, and to afford him such military assistance as might be necessary to enable him to assert his authority as Governor.

Governor Nicholls was occupying the Odd Fellows' Hall as a State House. His Legislature met there, and was actively engaged in business of legislation. All the departments of the city government of New Orleans recognized his authority. The Supreme Court, nominated by him, and confirmed by his Senate, was holding daily sessions, and had heard about two hundred cases. The time for the collection of taxes had not arrived, but considerable sums of money, in the form of taxes, had been voluntarily paid into his treasury, out of which he was defraying the ordinary expenses of the State Government. The Nicholls Legislature had a quorum in the Senate upon either the Nicholls or Packard theory of law, and a quorum in the House on the Nicholls, but not on the Packard, theory. The Packard Legislature had a quorum in the House on its own theory of law, but, as already stated, not in the Senate, and was thus disabled from any legislation that would be valid even in the judgment of its own party.

The commission found it to be very difficult to ascertain the precise extent to which the respective Governments were acknowledged in the various parishes outside of New Orleans; but it is safe to say that the changes which had taken place in parishes after the organization of the two Governments, January 9, 1877, were in favor of the Nicholls Government.

. . . . . .

It is claimed by the counsel for the Nicholls Government that this act [creating the Returning Board], so far as it interposes the Returning Board, exercising these powers of exclusion between the parish supervisor of registration, with his consolidated returns, and the Secretary of State, is, when applied to the election of members of the General Assembly, of the Governor, and of the Lieutenant-Governor, a plain violation of those provisions of the constitution of Louisiana which say the returns of all elections for members of the General Assembly shall be made to the Secretary of State; and, in reference to the Governor and Lieutenant-Governor, the returns of every election "shall be sealed up and transmitted by the proper returning officers to the Secretary of State," who shall deliver them to the Speaker of the House of Representatives.

On the other hand, it is insisted by the counsel for the Packard Government that the Legislature has power to create this Returning Board and give it the authority with which the act clothes it. It is also claimed by them that the constitutionality of the act has been settled by the Supreme Court of the State, but the Nicholls party denied that the question was decided by the Supreme Court in a manner that could be considered authoritative. It should be further stated that it was not claimed by the counsel for Governor Nicholls that the Legislature could not create a Returning Board and clothe it with these powers in regard to the appointment of the Presidential electors, since the provisions of the state constitution on which they rely relate only to the election of members of the Legislature, of Governor, and Lieutenant-Governor. We quote the following sentences from one of their printed arguments: "Indeed, as to Presidential electors, the mode of their appointment is, by the Constitution of the United States, left to the discretion of the Legislature of the State. Therefore the General Assembly of Louisiana might create any tribunal whatever and confide the appointment of electors for President and Vice-President to it. Consequently it may properly authorize such a tribunal in the case of the election of Presidential electors by the people to count the votes and decide and declare who were entitled to seats in the Electoral College."

As matters stood on our arrival here the legal title of the respective claimants to the office of Governor depended upon the question we have stated. There was no judicial tribunal acknowledged to be authoritative by both parties by which it could be solved, for reasons already given. The only hope of a practical solution was by the union of so many members of the rival Legislatures as would make a Legislature with a constitutional quorum, in both Senate and House, of members whose title to seats is valid under either view of the law. With a Legislature of undisputed authority the settlement of other questions could, as stated in the letter of instruction to our commission from the Secretary of State, "be gradually worked out by the prevalent authority which the legislative power, when undisputed, is quite competent to exert in composing conflicts in the coördinate branches of the Government." Within the last three days this first great step in restoring peace to the State has been accomplished. In consequence of a withdrawal of members from the Packard to the Nicholls Legislature, the latter body has now eighty-seven Returning Board members in the House and thirty-two in the Senate. Sixty-one members constitute a constitutional quorum in the House and nineteen in the Senate.

It is proper that we should say, in conclusion, that it was in view of the foregoing facts, especially the consolidation of the Legislatures and our knowledge of the condition of Louisiana, derived from personal contact with the people, that we were induced to suggest, in our telegram of the 20th instant, that the immediate announcement of the time when the troops would be withdrawn to their barracks would be better for the peace of Louisiana than to postpone such announcement to some

distant day. The commissioners, holding various shades of political belief, cannot well concur in any sketch of the past or probable future of Louisiana. We have forborne in this report to express any opinion on the legal questions arising upon the foregoing statement of facts, because our letter of instructions seemed to call for a statement of facts rather than an expression of opinion by the commissioners. We all, however, indulge in confident hopes of better days for all races in Louisiana. Among the reasons for these hopes are the resolutions of the Nicholls Legislature and the letter of Governor Nicholls, herewith submitted, and which have already been given to the public.

This clear and passionless survey of the Louisiana situation was sufficient to satisfy conservative public opinion, if any doubts still existed, that the policy adopted by the President was not only inevitable but wise. In no other way was real pacification in the South possible; the conditions that had long been a reproach to civilization must else have continued, and internecine strife could only be prevented by the constant services of the federal troops. With the States left absolutely free to settle their own electoral contests in their own way, tranquillity was restored, decent government established, and the thoughts and energies of men directed toward industrial and commercial development — toward the cultivation of all the arts of peace.

Mr. Hayes breathed a sigh of relief when the final step was taken. In his diary, April 22, he makes this concise entry: —

> We have got through with the South Carolina and Louisiana ——. At any rate, the troops are ordered away, and I now hope for peace, and, what is equally important, security and prosperity for the colored people. The result of my plans is to get from those States, by their Governors, Legislatures, press, and people, pledges that the Thirteenth, Fourteenth, and Fifteenth Amendments shall be faithfully observed; that the colored people shall have equal rights to labor, to education, and to the privileges of citizenship. I am confident this is a good work. Time will tell.

And time did tell.[1] For the moment, however, while the

[1] November 22, 1877, President M. Stone, of Leland University, New Orleans, wrote President Hayes: —

"On your inauguration confident expectation was cherished by the colored people that you would recognize the Packard Government, and that that measure was the only one to give any safety to the rights or persons of the colored people, and this feeling was indulged by sagacious Northern men living here. I at first firmly believed it, but the very different course you have adopted, though inflicting a deep wound on the partisans that placed you in the chair, soon began

President's course was approved by the sober conservative sense of the country, the air was filled with a clamor of criticism and denunciation by a comparatively small group of noisy irreconcilables. The aged ex-Senator Benjamin F. Wade, who had seconded Mr. Hayes's nomination at Cincinnati, felt himself "deceived, betrayed, and humiliated" to a degree beyond his power of language to express (as he wrote to a friend) by the President's course. William Lloyd Garrison could see in it only "cowardly compromise" with the "incorrigible enemies of equal rights and legitimate government." Wendell Phillips fairly exhausted his exuberant vocabulary in spiteful vituperation. And Mr. Blaine expressed his "profoundest sympathy" for Governor Chamberlain in his "heroic though unsuccessful struggle for civil liberty and constitutional government," while his "heart and judgment" were with Governor Packard in his contest "against great odds." He was sure, too, that the Boston press did not correctly reflect "the Stalwart Republican feeling of New England." Many men of lesser note and many "Stalwart" papers were echoing the sentiments of these leaders. Doubtless much of this feeling, especially on the part of the old-time antislavery agitators and workers, was genuine and sincere; but doubtless quite as much of it sprang from prejudice and wilful ignorance or was simulated for demagogic effect. The President did not allow his serenity to be in the least disturbed by the aspersions of his critics. He was merely carrying out, in good faith and to the best of his judgment, the pledges he had made in his letter of acceptance. He had meant what he

to yield evidence of our mistake and of your wisdom, and now, I am happy to say your Southern policy has placed the colored people in a better situation than they have ever been in since the war. They are freer from fear, they are better protected, they are more likely to get justice in the courts, than ever before. I think the intelligent citizens of this State who opposed your election would be very reluctant to spare you from the Presidential chair, and I do not believe that Mr. Tilden could carry half his party vote in Louisiana against you. I heartily approve of your policy, and am quite sure the intelligent people, that were so much disappointed with your measures at first, now approve them and rejoice in your firmness and bravery in adopting and prosecuting them amidst such opposition. One thing which has excited our admiration has been your equal recognition of the interests, needs, and prejudices of both races. You have been an American President and not a President of a race or party. You will attain a place in the hearts of your countrymen second to that occupied by none in the history of our nation."

said; if men had supported him, thinking his promises idle words, the fault was theirs, not his. He could have no controversy with those who honestly differed with him; he could only ask them to wait in patience and observe results. "My belief is," he said, "that this course tends to give good government to the South; it tends to secure peace between the sections, and between the races or parties of the South; and it tends to secure the rights, interests, and safety of the colored people; therefore I am in favor of the policy. . . . I respect the convictions of those who honestly differ from me, but am indifferent to those who propose a malignant opposition, because I cannot see that public duty leads me in the path that they would mark for my official footsteps." [1]

Neither was the President disturbed by the frantic effort of many newspapers to make it appear that in his Southern policy he was simply carrying out a bargain alleged to have been made in his behalf by his friends, Charles Foster and Stanley Matthews, in their letter of February 27 to Senator Gordon and Congressman John Y. Brown.[2] The first reports of the existence of such a letter, which were printed late in March, exaggerated the importance of the document, and imputed to it an authoritative character which papers and persons, ready to find fault with the President, eagerly seized upon and made the most of. The authors of the letter promptly authorized its publication, and all the circumstances attending the writing of it were set forth by Mr. Brown in a communication to the Louisville *Courier-Journal* [3] and by Mr. Foster in a newspaper interview.[4]

[1] Conversation with the President reported in the Washington correspondence of the New York *Times*, dated April 15, 1877. Compare also the following letter to W. D. Bickham, of the Dayton *Journal*: —

WASHINGTON, D.C., April 22, 1877.

MY DEAR MAJOR, — I am glad to see your article on the Southern question. I know how sore a trial this business is to stanch antislavery veterans like you. I expect many to condemn. I shall not worry, or scold if they do. I know they mean well. It is a comfort to know also that I mean well. It will, I trust, turn out that I am right. If not, I am a sound Republican still and always. — Sincerely,

R. B. HAYES.

[2] Already given in chapter XXVI. [3] *Courier-Journal*, March 29, 1877.

[4] Fostoria *Review*, March 29, 1877: —

"The letter written to John Young Brown and Senator Gordon was the result of a conversation I had with Mr. Brown, in which he asked for written assurances

Both the text of the letter and the statements of these gentlemen proved conclusively that no "bargain" had been made or contemplated; that Mr. Hayes was entirely ignorant of the whole matter; that Messrs. Foster and Matthews had not professed to speak with authority, but had merely expressed, on the basis of their knowledge of Mr. Hayes's character and ways of thought, their confidence in his purposes toward the South. These purposes had clearly been forecast in his letter of acceptance, and they knew, both from long acquaintance with Mr. Hayes and from his repeated assurances during the campaign and since the election, that he meant all that he said and all that his words implied.

Every one could see that the writers of the letter had been justified in their confidence by the President's treatment of the Southern question in his inaugural address. Only that type of mind, which is always looking for petty motives or malign influences to explain the origin of great actions, could persist in adhering to the silly bargain theory to account for Mr. Hayes's Southern policy. That policy was the simple fulfilment of the obligation he had assumed at the beginning of his candidacy; the accomplishment of a patriotic duty which his judgment and conscience approved.

The heat and passion of that period evaporated long ago, and men now can regard the events of those agitated days with clear

for his future justification. He distinctly stated that he did not ask this as a condition of carrying out the provisions of the Electoral Bill; that he regarded that as a matter of personal honor, and that no power could coerce him to do otherwise than faithfully to stand by the provisions of the bill. He asked that a paper be signed by Mr. Matthews and myself, and be addressed to him and Senator Gordon. I expressed a willingness to accede to his wishes, and a paper was prepared, signed, and delivered. I have no recollection of having any conversation with Senator Gordon on the subject of writing this letter. The letter was a statement by Mr. Matthews and myself as to what we believed would be the policy of President Hayes in dealing with the Southern question. It contained nothing more than was contained in my speech on the subject."

This statement accords with what Mr. Brown wrote in greater detail. Mr. Brown had gone to Mr. Foster because he had the "highest respect" for him and confidence in him, and because "he represented the district of Governor Hayes, [and] he had just made a manly and patriotic speech, in which he had said that under President Hayes, if inaugurated, the flag shall float over States, not provinces; over freemen, not subjects." Mr. Foster told Mr. Brown that he had just received a letter "from Governor Hayes thanking him for his speech and endorsing it," which he offered to show to him and General Gordon.

vision and calm judgment. Every one can see now that the experiment of permitting a newly enfranchised and ignorant servile race, led and dominated by unscrupulous adventurers, to govern American States in defiance of the intelligence, the culture, and the property interests of the Anglo-Saxon inhabitants, was bound to prove a failure. The forces of civilization were sure to assert themselves and gain control. It was Mr. Hayes's merit to see clearer and think straighter than many of the forceful leaders of his party, and to be willing to admit that events had discredited the policy long pursued toward the reconstructed States. And then, though confronted with conditions of peculiar difficulty, he had the resolution to take the needed action. The judgment of history will unhesitatingly commend not only the wisdom but the moral courage with which Mr. Hayes answered for all time the obstinate and distracting Southern question.

CHAPTER XXIX

EFFORTS FOR CIVIL SERVICE REFORM

"NOW for civil service reform!" wrote Mr. Hayes in his diary on April 22, 1877, after recording his satisfaction at the disposal of the Southern problem. "Legislation," he continued, "must be prepared, and executive rules and maxims. We must limit and narrow the area of patronage; we must diminish the evils of office-seeking; we must stop interference of federal officers with elections; we must be relieved of congressional dictation as to appointments." In his letter of acceptance and in his inaugural address Mr. Hayes had shown that he fully recognized the iniquity of the spoils system and the need of thorough reform; in these brief sentences he gives a comprehensive statement of the great ends to be achieved by reform. It is doubtful, however, whether he as yet realized how arduous was the task which he was undertaking, how many discouragements and obstacles were to be met in its pursuit, or how little assistance he was to receive from the controlling forces of his own party, committed to the good cause though they were by the declaration of the Cincinnati Convention.

The spoils system had so long been woven into the very texture of American political life that its defenders or apologists had come almost to believe that its elimination would destroy the fabric itself. It was acquiesced in by the thoughtless and indifferent as though it were part of the order of nature. There was something plausibly appealing in the clamor for "rotation in offices." Was not every citizen as good as every other in this great Republic? Ought not he to have his chance at the good things the Government had to offer? Every sort of employment in the public service was thought of as an "office" and as a reward to be attained, not because of any particular fitness or adaptability for performing the duties that it required, but because a man was a good Republican or a good Democrat and had shown some skill in political work — in organizing and

directing party activities in his ward or city, his county or State.[1] The idea of the civil service as a career for which men should be selected, as they would be in the ordinary commercial and industrial pursuits of life, because of their approved fitness or their promising ability, and should be retained and promoted for their experience and efficiency, had little place in the thoughts of active politicians or even of the great, good-natured, indifferent mass of citizens. Public service was regarded as somehow quite different from private enterprises, and not subject to the rules of merit and common sense without which, of course, these could not prosperously and honestly be conducted.[2]

Gradually, too, the Senators and Congressmen of the dominant party had virtually usurped the appointing power of the great bulk of the federal officers in their States. This power belongs under the Constitution to the Executive; but who so able to advise the Executive, in the wide extent of our domain, about local appointments, as the representatives in Congress? The giving of advice easily passes into dictation and demand; and this is made effective by the coöperation of the Senators to prevent the confirmation of any appointee obnoxious to the Senators of the State from which the appointee is taken. Naturally the Congressmen used the patronage to strengthen their own hold upon the party organization. Men that had served their interests were put in place and kept in place, not because they gave the Government good service, — though it must in fairness be frankly admitted that in multitudes of cases they did, — but because they were useful to their patrons, aiding them

[1] "You observe that in making appointments the interests of the public service are — I will not say in all cases, but certainly in a very great proportion of cases — a consideration of only secondary importance. Men are appointed for what they have done or are to do for the party, and not for what they have done or are to do for the public service. They are not infrequently appointed to the salary and not to the office. It is political favoritism raised to the dignity of a ruling system." (Carl Schurz, speech in Senate January 27, 1871.)

[2] "You have learned that the offices of the Government are mere 'spoils,' 'public plunder'; that instead of being regarded as the places of duty, they are regarded as conquests, the conquest of a party; as 'berths' into which men are put, not to use the best of their energies, not to look with anxiety after the interests of the Government, but to make it comfortable for themselves and to serve their friends. And you have learned more; how current these words 'spoils' and 'plunder' have become in the mouths of the people, so that we have lost almost all sense of their fearful meaning." (Carl Schurz, *ibid.*)

in their factional contests, and supporting them with personal effort and money contributions in their campaigns for renomination and election. Of course, such a system led inevitably to the unnecessary multiplication of "places," to the creation of sinecures for "workers" who had to be "taken care of," to insubordination and neglect of duty, to corrupt practices and the acceptance of bribes, to promotions of sycophants, and to arbitrary dismissals of faithful clerks to make room for untried men whose "claims" could not be ignored. The success, efficiency, and perpetuity of the political machine are thus dependent in large measure upon the power of patronage, the dispensation and control of the spoils of office. It is not to be wondered at that the politicians who had been bred under this system, who had never known anything else, who had gained their prominence and their positions largely by its exercise, should stubbornly have resisted its overthrow and bitterly resented the impertinence of the "impractical doctrinaires" who would not cease to proclaim its evils and to incite public opinion to demand reform.

In Congress, too, a few stanch friends of the reform, foremost among whom was Thomas A. Jenckes, of Rhode Island, had for years ceased not to cry out against the iniquitous spoils system. As early as December, 1866, Mr. Jenckes had introduced in the House a reform measure, which, however, received meagre attention. At each succeeding session he had made renewed efforts to obtain legislation.[1] These efforts, while resulting for some years only in discussion, helped in the work of educating public sentiment which a few influential journals and an increasing number of high-minded and patriotic men were earnestly and steadfastly prosecuting — much to the annoyance of the practical politicians. Finally, in March, 1871, under the pressure of public opinion, a law was passed authorizing the President to prescribe rules and regulations governing the admission of men to the civil service, and authorizing him to select suitable persons to assist him in this work. President Grant approved the law and promptly appointed a commission of seven members, at the head of which he placed the eminent

[1] In December, 1869, Mr. Schurz introduced in the Senate a bill of similar purport.

reformer, George William Curtis. Reasonable rules were prepared by the commission which the President accepted with some reservation, and on January 1, 1872, they were put in effect with the grateful acclaim of all thoughtful people. The rules directed, among other things, that the employees in each department should be graded with reference to their experience and the importance of their work; that promotions to higher grades should be from the men already in the service; that new men should be admitted only to the lowest grade; and that men should be appointed only after their fitness had been ascertained by competitive examinations, under the supervision of the commission. While the enforcement of the rules was left entirely to the discretion of the President, yet, as General Grant had shown by his messages that he was in sympathy with the reform, it was confidently believed that the first great step had been taken in a movement which should steadily go forward till all the abuses of patronage had been purged from our governmental system, and the same principles of merit and efficiency that were observed in the conduct of private business should prevail in the public offices.[1] But this belief was doomed to speedy disappointment and extinction. The practical politicians had no thought of surrendering their preserves at the first onslaught. The great parties in their national and state platforms might commend the rules and urge further legislation; the Cabinet officers and heads of Departments might assiduously endeavor to enforce the rules; but they stood obdurate and defiant in their opposition, jeering the reform and reformers, seeking in all ways to undermine and circumvent the rules, and denouncing the whole movement as an attempt to foist the "Chinese system" upon our free American Republic. In vain did President Grant, in his messages of 1872 and 1873, ask for legislation sanctioning the rules. The answer of Congress was the refusal of an

[1] "The more intelligent and unselfish portion of the people . . . believed that the object of the long unanswered prayer of their hearts, for a purification and elevation of the civil service, was about to be realized. They, and the worthy men who, at the expense of great sacrifices to themselves, were invited to aid in preparing and applying the rules, thought that a party once committed to so beneficent a work would not voluntarily abandon it." (*The Experiment of Civil Service Reform in the United States;* paper by Dorman B. Eaton, read before the American Social Science Association at Detroit, May, 1875.)

appropriation to provide for the expenses of the commission and threats of legislation making the spoils system more complete. Finally, in his message of December 7, 1874, President Grant declared that it was impracticable to maintain the rules "without the direct and positive support of Congress." He gave warning that "if Congress adjourned without positive legislation on the subject of 'civil service reform,' he would regard such action as a disapproval of the system and would abandon it." That was cheering news to the enemies of the reform, in Congress and out, and they saw to it that no positive legislation was enacted. The promised result followed; the commission passed into a state of suspended animation; the President lost all interest; and the good old spoils system, dear to the heart of every practical politician, resumed its malign sway; more arrogant and aggressive, if anything, than ever, because of its triumph over the forces of decency and common sense.

The advocates of reform were disappointed, but not utterly cast down. They renewed their pestilent agitation with a zeal and determination that could not fail to impress public sentiment. The spoilsmen had perforce to recognize the popular demand for reform, and acquiesced without a murmur in the adoption by the national conventions of both parties in 1876 of forceful declarations in favor of civil service reform. But they had no intention of making the promise good, and those of the Republican party were far from pleased at the insistence placed upon it by Mr. Hayes in his letter of acceptance and again in his inaugural address. So, at the beginning of his Administration, Mr. Hayes confronted this situation: First, his party was committed by its latest official pronouncement to civil service reform, and the better sentiment of the country, irrespective of party, demanded it. Second, he himself believed sincerely in its need and its importance, and he was under the most solemn pledge, which he had no thought of repudiating, to do everything in his power for its realization. Third, the spoils system was in full force and acceptance throughout the civil establishment of the Government; the Republican Senators and Congressmen were in practical control of the patronage in their States and districts, making appointments and causing dismissals as suited their whims or as would best serve the exigencies of their party,

or factional schemes — virtual overlords of the Government's servants. These beneficiaries of the system, who felt their consequence much enhanced by the power it gave them, had not only no wish to see it reformed or restricted, but were tenacious in their determination to defy the party promise and the popular desire and to retain the patronage they had so long exercised. They could be counted upon to obstruct and discredit, within the limits of their influence and ingenuity, whatever efforts toward genuine reform should be put forth by the Executive.

The law of March 3, 1871, to be sure, under which President Grant had made his futile and fleeting attempt at reform, was still in force. By its authority the President could establish rules and regulations governing appointments and dismissals, but wholly within his own discretion to enforce or to relax. He could not expect the moribund commission to assist in the execution of the rules unless Congress appropriated money for its compensation. And there could be no assurance of the permanency of any action he should take without positive legislation by Congress establishing a reform system. It was thus quite impossible for the President alone to bring about "a reform that should be thorough, radical, and complete," the need of which he had emphasized in his inaugural address. That would require the sympathy and coöperation of the legislative branch of the Government. But he could do much to minimize and mitigate the abuses of the existing system by acting himself in harmony with reform principles in causing dismissals and in making appointments, and by requiring the Departments at Washington and the postmasters and customs collectors in the great cities to adopt business methods in the selection and retention of their subordinates. He could also restrict the political activities of officeholders and he could resist congressional assumption of right to control federal patronage. In all these particulars — though with numerous lapses — in spite of the constant agitation of influential leaders of his own party, in spite of the frequent disloyalty to the spirit of reform on the part of men in office, and in spite of the malignant cavilling of petty politicians and prejudiced journals, Mr. Hayes's Administration marked an epoch in the civil service of the country.

At the very beginning of his Administration Mr. Hayes let it be understood that no sweeping changes in the civil service would be instituted; that appointments would be made only to fill vacancies; that men would be dismissed only for the good of the service, — not for political reasons or to make room for other men; that the recommendations of Congressmen would not be regarded as conclusive; that appointments in the various Departments would be left primarily to the Cabinet officers; that personal applications to the President would receive scant consideration; that applications to members of his family would be absolutely futile; and that no person connected with him by blood or marriage would be appointed to office.[1] One result of all this was that the throng of office-seekers at Washington from all parts of the country and the pressure for place, great as these were, were much less considerable than had marked the opening

[1] "The brother-in-law and cousin will have no place in President Hayes's Administration. Among the unsuccessful candidates for the United States Marshalship for the Northern District of Illinois was a Mr. Stillwell, of Livingston County. He was admitted to a private audience with the President and presented his papers. The President looked them all carefully through, and then, looking Mr. Stillwell full in the face, said: 'Your papers are unexceptionable; there is nothing in your record which does not seem to show that you are fully qualified for the position; but there is one insuperable objection to your appointment to any federal office — that is, your wife is a favorite cousin of Mrs. Hayes.' Mr. Stillwell left the Presidential office convinced at last that the fact which many thought would insure his appointment had rendered his defeat inevitable." (New York *Tribune*, Washington correspondence, March 16.)

To a kinsman, H. S. Noyes, Mr. Hayes wrote July 24, 1878: —

"I have your letter of the 21st. You evidently have not heard of the rule — an ungracious and embarrassing rule — which I felt it was my duty to adopt against the appointment of relatives to office. No man connected with me by blood or marriage has received any appointment at my hands. I need not say that there have been applicants. No doubt a number of them have felt severely my refusal to give them places. Generally, I am glad to be able to say, my course on this subject has been approved by my own and by my wife's kindred. I need not argue the propriety of the course. As you say, 'Enough is as good as a feast.'

"You speak of local places which you would like to have. Such places are usually filled by incumbents of local offices. Of course, I do not *dictate* or *oppose* such appointments. I simply let them alone.

"This is a hard letter to write. I feel the value of what you have done. I am persuaded of the warmth and sincerity of your friendship. More than most men, I suspect, I feel the ties of kinship and the duties they impose. Your qualifications and fitness for any duty you would undertake, I know are ample. But the principle is in the way. Hence this awkward and, I fear you will think, this cold and unfriendly note."

weeks of any other new Administration within the memory of the oldest public men.[1]

At the first meeting of the Cabinet, Messrs. Evarts and Schurz were appointed a committee to formulate rules to govern appointments. Secretary Schurz took immediate steps to reorganize his Department, informing the clerks that their tenure of place and their promotion would depend, not on favor or political backing, but on their efficiency and their fidelity to duty. The subordinates in other Departments received similar assurances.[2] Superfluous clerks were dispensed with, incompetents were dismissed, sinecures were abolished; and the morale of the service and the diligence of the clerks began to show marked improvement.[3] In all Departments better discipline and closer attention to duty were presently observed. It was made perfectly clear in due time to all government officers, clerks, and employees that they could with absolute impunity refuse any demands made upon them for contributions by

[1] "It is a remarkable and creditable fact that with the incoming of a new Administration, having control of from forty thousand to fifty thousand public offices, the number of persons who have come to Washington seeking government employment is actually less than that of those who came here in December, 1875, to compete for the hundred or two appointments to be made by the Democratic House of Representatives." (New York *Tribune*, Washington correspondence, March 9.)

[2] For example, Secretary McCrary issued the following circular to the employees of the War Department: "The civil employees now in the service of the United States, under the War Department, are hereby informed that hereafter removals will be made in this Department for cause only, and promotions will be ordered upon the sole ground of merit. Every official must understand that retention and advancement in the service will depend upon record of good behavior and efficiency and not upon external influence. No political test is required beyond an earnest support of the Constitution and its amendments and a proper respect for the rights of citizens guaranteed thereby. Industry and faithfulness in the discharge of duty, a good moral character, and strictly temperate habits will be required and enforced, and heads of bureaus will report promptly any case of idleness, neglect of duty, incapacity, drunkenness, or any immoral or dishonest conduct. In case of vacancy, reports thereof will be made, accompanied by a list of all the most reliable and efficient clerks in the same office, division, or bureau, from which list the vacancy shall be filled."

[3] To Senator Merrimon, of North Carolina, Postmaster-General Key wrote March 17, 1877: "While I shall always be glad to receive the advice of Senators and Representatives in Congress, touching matters of this kind, yet I shall not consider myself as in any way bound to act upon it. My desire is to do the greatest good to the greatest number, and to this end I shall always be glad to have your coöperation."

campaign committees. If they chose to give, like other members of the party, that was their affair; but they were to feel no constraint to give any specified percentage of their salary at the behest of party authority; and they were to understand that their refusal to give would in no way affect their standing or prospect of advancement in the public service.

Secretary Sherman appointed a commission of three men, with John Jay as chairman, to make a thorough investigation of the condition of the New York Custom-House.[1] Its report showed that the most scandalous disregard of businesslike methods prevailed; that in the selection of subordinates and their retention in place the welfare of the government service was subordinated to the interests of party politics and politicians in New York City and State; that hundreds of supernumerary employees were on the pay-roll, many of whom rendered no service at all to the Government. The recommendations of the commission that politics be eliminated from the custom-house and that the collector and his force confine themselves to the duties for which they were engaged, were approved by the President in the following letter to Secretary Sherman: —

Executive Mansion,
Washington, May 26, 1877.

My dear Sir, — I have read the partial report of the commission appointed to examine the New York Custom-House. I concur with the commission in their recommendations. It is my wish that the collection of the revenues should be free from partisan control, and organized on a strictly business basis, with the same guaranties for efficiency and fidelity in the selection of the chief and subordinate officers that would be required by a prudent merchant. Party leaders should have no more influence in appointments than other equally respectable citizens. No assessment for political purposes, on officers or subordinates, should be allowed. No useless officer or employee should be retained. No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions, or election campaigns. Their right to vote, and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. — Respectfully,

R. B. Hayes.

Hon. John Sherman, etc.

[1] Similar commissions likewise investigated the custom-houses at Boston and Philadelphia with much the same results.

This letter evoked discussion and comment throughout the country, by far the weightier part of which expressed approval and commendation. Here, indeed, a blow was struck at the very vitals of the evil system. Let the prohibitions of this letter prevail, and a complete divorce of the civil service from political activity be brought about, and all the other abuses that now scandalized the civil service would easily be eliminated. Some journals of high standing and some men of disinterested motives, however, urged that the President was going too far in restricting the political activity of public officers; that such men ought to have the same right to participate in politics as private citizens — indeed, that they were under greater obligations to do so because of the privileges they enjoyed as officers, and their greater knowledge of affairs. This was, of course, on the assumption that all placemen were and of right should be members of the dominant party; for any suggestion that officeholders who might happen to belong to the opposition should engage in party activity was admitted to be intolerable. The complete answer to such objections is that men in the public service are the servants of the entire body politic; and that it is scandalous for them to make themselves obnoxious to one half the people whom they are serving and to whom they owe their livelihood. While it is fitting and desirable that men in the higher offices, who are part of the Administration, or distinctly represent it, should on all proper occasions appear to explain and defend its policies, the men whose sole duty it is to carry on the business functions of the Government — to handle the mails, to collect the revenues, to conduct the agencies of justice, and to perform all the multifarious clerical duties of the various executive departments — ought to be as little concerned with the activities of partisan politics as the men in the army and navy. But that was too high an ideal for any except the most clear-sighted and resolute reformers distinctly to grasp and steadfastly to uphold in the year of grace 1877. The practical politicians, both in office and out, and a large proportion of the partisan press, were sure the President's views would never do; that if they were actually enforced, the party would go to smash, and the very liberties of the people would be endangered. Only through the instrumentality of parties could the Government be carried on. A man must

believe that the Government would best be served by his own party. It was, therefore, not only the right but the duty of the President to use the offices to strengthen his party's position and to improve its prospects of control, as well locally as in the nation; and the men he placed in office ought to feel under compelling obligation to labor constantly for the party's welfare. True, the President might have answered, but "he serves his party best who serves his country best."

The murmurs of officeholders and practical politicians and the strictures of friendly critics did not disturb the President's equanimity nor deter him from the course he had marked out. After a few weeks, the principles laid down to be observed in the conduct of the New York Custom-House were made to apply to the entire civil service. This was accomplished by the issuance of the following executive order which was mailed to all officers: [1] —

EXECUTIVE MANSION,
WASHINGTON, June 22, 1877.

SIR, — I desire to call your attention to the following paragraph in a letter addressed by me to the Secretary of the Treasury, on the conduct to be observed by officers of the general Government in relation to the elections: —

"No officer should be required or permitted to take part in the

[1] It was recalled by the newspapers of the day that a similar letter had been written at the beginning of Harrison's Administration by Daniel Webster, Secretary of State, which said: —

"Sir, — The President is of opinion that it is a great abuse to bring the patronage of the general Government into conflict with the freedom of elections; and that this abuse ought to be corrected wherever it may have been permitted to exist, and to be prevented in future. He therefore directs that information be given that partisan interference in popular elections, whether of state officers or officers of this Government, and for whomsoever or against whomsoever it may be exercised, or the payment of any contribution or assessment on salaries or official compensation for party or election purposes, will be regarded by him as cause of removal.

"It is not intended that any officer shall be restrained in the free and proper expression and maintenance of his opinions respecting public men or public measures, or in the exercise, to the fullest degree, of the constitutional right of suffrage. But persons employed under the Government and paid for their services out of the public treasury are not expected to take an active or officious part in attempts to influence the minds or votes of others; such conduct being deemed inconsistent with the spirit of the Constitution and the duties of public agents acting under it; and the President is resolved, so far as depends upon himself, that, while the exercise of the elective franchise by the people shall be free from undue influence of official station and authority, opinion shall also be free among the officers and agents of the Government. . . ."

management of political organizations, caucuses, conventions, or election campaigns. Their right to vote and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessment for political purposes, on officers or subordinates, should be allowed."

This rule is applicable to every department of the civil service. It should be understood by every officer of the general Government that he is expected to conform his conduct to its requirements. — Very respectfully,

R. B. HAYES.

TO THE —— ——.

Thereupon the newspapers of the important cities began to publish lists of the federal officeholders of their locality that held official relations with the party machine. These lists gave the general public a startling revelation of the extent of the mutual relations and interdependence of the machine and the office-holding class. They were conclusive evidence that in the custom-houses and post-offices at the great centres of population the good of the public service had been a secondary consideration in making appointments. The determining factor had been the demand of the party organization, controlled by some powerful party leader.

Meanwhile vacancies in the various branches of the civil service, due to expiration of terms, resignations, or deaths, were being gradually filled, and in most cases by the choice of men that won the approbation of the communities affected, while the men appointed to the diplomatic service or to other positions of nation-wide interest were with rare exceptions men whose distinction admittedly approved their selection.[1] In some of the few cases of dismissal of postmasters or collectors bitter controversies arose and the action taken could hardly be justified on

[1] "He [the President] has appointed none of the old 'war horses' and machine managers to office; he has in several cases, as in Baltimore, displaced notorious politicians, and he has continued, slowly and with great care, but without intermission, to weed incompetent and improper persons out of the public service. He has refused to make removals for merely political reasons; he has made new appointments in disregard of political considerations, where these seemed to him to come in conflict with the public interest. He has caused competent and faithful officers to feel that they are appreciated, and he has incurred the hatred and opposition of incompetent and unworthy officers by doing his duty fearlessly toward them. He has breathed a new spirit into the public service." (New York *Herald*, editorial, July 9, 1877.)

reform principles; rather it was evident that factional politics had much to do therewith. It is clear that Mr. Hayes soon became conscious of this, for August 5 he writes in his diary: —

> I grow more conservative every day on the question of removals. On *ex parte* statements I have made mistakes in removing men who perhaps ought to have been retained, and in appointing wrong men. Not many removals have been made. Less than by any new Administration since John Q. Adams. But I shall be more cautious in future — make removals only in clear cases, and appoint men only on the best and fullest evidence of fitness.

The Forty-fourth Congress had failed to pass the Army Appropriation Bill for the fiscal year beginning July 1. It was thought at first that it would be necessary to call an extra session of Congress not later than June or July to remedy this failure. But the President and the Cabinet after much consideration decided that it would be possible to avoid a midsummer session by suspending army payments for the first quarter of the new fiscal year and so postpone the extra session until autumn. While this decision provoked much adverse criticism, its wisdom was promptly recognized. By October the effect of the President's Southern policy would be more apparent, and the bitterness of feeling that its adoption had aroused in the hearts of the more radical Republicans would probably be greatly assuaged so that a calmer judgment could find expression. Congress would know better likewise how the country regarded the civil service policy and the fiscal measures of the Administration.[1] The President issued his proclamation on May 5, fixing Monday, October 15, as the date for the beginning of the special session.

The Democrats had a small majority (thirteen) in the new House of Representatives; the Republicans a majority of two

[1] "My official life in the Presidency has so far been successful in the main and happy. The country does seem to be coming back to the ancient concord, and good people approve what I am trying to do. . . . I must resolve on this birthday to do better in the future than ever before. With good health and great opportunities, may I not hope to confer great and lasting benefits on my country? I mean to try. Let me be kind and considerate in treatment of the unfortunate who crowd my doorway, and firm and conscientious in dealing with the tempters. The Southern question seems to be on a good footing. The currency also. The Mexican question is perplexing. The improvement of the civil service, I must constantly labor for." (Diary, October 4, 1877.)

in the Senate.[1] There had been some slight hope that enough of the Southern Democrats in the House would unite with the Republicans to make Mr. Garfield Speaker; but that hope seems to have had no substantial basis. The Democrats promptly reëlected Mr. Randall, and on Tuesday the President's special message was read. This briefly asked that the appropriation for the army be made without delay, that certain deficiencies in other Departments be provided for, and that provision be made for sharing in the Paris Exposition to be held the next year. It is not necessary here to follow the proceedings of Congress. The legislators had not been in Washington long and had opportunity for exchange of views when it became evident that many of the Republicans were antagonistic to the President's policies. Mr. Hayes was quick to apprehend the situation, for which, indeed, he must have been prepared by the continued fault-finding of the party press and the action of certain Republican state conventions. Hostile critics were freely interpreting the defeat of the Republicans in the October election in the President's own State as evidence of the unpopularity of the President's policy. October 24, Mr. Hayes wrote in his diary: —

It is now obvious that there is a very decided opposition to the Administration in both houses of Congress, among the Republican members. There seems not to be any considerable personal hostility to me. But a conference of about twenty members of the House at Mr. Sherman's developed a decided hostility to my measures on the part of members respectable both in character and number. Their objections extend to all of my principal acts. The opposition is directed against: —

1. The Cabinet. It is said there are only four Republican members, namely, Sherman, Devens, McCrary, and Thompson. That Evarts and Schurz are disorganizers, doctrinaires, and Liberals, and Key is a Democrat.

2. The attempt to make the civil service non-partisan is ruinous to the party; unjust and offensive to officeholders, and is an attempt to accomplish the impossible, namely, a non-partisan civil service.

3. The pacification of the South is a total departure from the principles, traditions, and wishes of the party.

A majority of members probably favor some part of these measures. Only a small number support all of them. The adversary points to the results of elections as showing that the people condemn the Administration, and that it is destroying the party. The most bitter opposition

[1] This counts Senator Davis of Illinois with the Democrats with whom he had the greater sympathy.

arises from the apprehension that the course of the Administration will:

4. Deprive Congressmen of all control and share of the patronage of the Government.

How to meet and overcome this opposition is the question. I am clear that I am right. I believe that a large majority of the best people are in full accord with me. Now, my purpose is to keep cool — to treat all adversaries considerately, respectfully, and kindly, but at the same time in a way to satisfy them of my sincerity and firmness; in all parts of my official conduct to strive conscientiously and unselfishly to do what is wise. In my anxiety to complete the great work of pacification I have neglected to give due attention to the civil service — to the appointments and removals. The result is, some bad appointments have been made. Some removals have been mistakes. There have been delays in action. All this I must try now to correct.

Believing that his policy was right and that it commanded the approval of the best sentiment of the country, Mr. Hayes refused to be discouraged by disaffection among the members of his own party in Congress. It was no more than he might have expected, from the very nature of things, when he relinquished the accepted Republican policy in the South and began his attack on the long-established spoils system.[1] In his first annual message, presented to Congress December 3, 1877, Mr. Hayes had this to say of civil service reform: —

The organization of the civil service of the country has for a number of years attracted more and more of the public attention. So general has become the opinion that the methods of admission to it, and the conditions of remaining in it, are unsound, that both the great political parties have agreed in the most explicit declarations of the necessity of reform, and in the most emphatic demands for it. I have fully believed

[1] "We do not believe that the President misunderstands the situation in the least degree. He knows, doubtless as well as any one, that to call into his Cabinet an ex-Rebel Democrat, the Greeley leader of 1872, and the New Yorker whom the dominant influence in the Republican party of that State especially disliked, — to follow such acts by the withdrawal of the troops in Louisiana and South Carolina, and then to prohibit officeholding management of politics, — was to arouse a deadly hostility within his own party. If he had any doubt upon the subject, it would have been instantly removed by the opposition of Mr. Blaine in the Senate; by the amazement of part of the Republican press, deepening into indignation as his Administration proceeded; by the condemning silence of the Iowa convention; by the demonstration at Woodstock, and its loud laudation by the same press; by the sullen contempt for the prohibitory order; by the wrath with the custom-house investigating commission; and by the emphatic but indirect censure of the Maine convention." (George William Curtis, *Harper's Weekly*, September 15, 1877.)

these declarations and demands to be the expression of a sincere conviction of the intelligent masses of the people upon the subject, and that they should be recognized and followed by earnest and prompt action on the part of the legislative and executive departments of the Government, in pursuance of the purpose indicated.

Before my accession to office I endeavored to have my own views distinctly understood, and upon my inauguration my accord with the public opinion was stated in terms believed to be plain and unambiguous. My experience in the executive duties has strongly confirmed the belief in the great advantage the country would find in observing strictly the plan of the Constitution, which imposes upon the Executive the sole duty and responsibility of the selection of those federal officers who, by law, are appointed, not elected; and which, in like manner, assigns to the Senate the complete right to advise and consent to, or to reject, the nominations so made; whilst the House of Representatives stands as the public censor of the performance of official duties, with the prerogative of investigation and prosecution in all cases of dereliction. The blemishes and imperfections in the civil service may, as I think, be traced, in most cases, to a practical confusion of the duties assigned to the several departments of the Government. My purpose, in this respect, has been to return to the system established by the fundamental law, and to do this with the heartiest coöperation and most cordial understanding with the Senate and House of Representatives.

The practical difficulties in the selection of numerous officers for posts of widely varying responsibilities and duties are acknowledged to be very great. No system can be expected to secure absolute freedom from mistakes, and the beginning of any attempted change of custom is quite likely to be more embarrassed in this respect than any subsequent period. It is here that the Constitution seems to me to prove its claim to the great wisdom accorded to it. It gives to the Executive the assistance of the knowledge and experience of the Senate, which, when acting upon nominations as to which they may be disinterested and impartial judges, secures as strong a guaranty of freedom from errors of importance as is perhaps possible in human affairs.

In addition to this, I recognize the public advantage of making all nominations, as nearly as possible, impersonal, in the sense of being free from mere caprice or favor in the selection; and in those offices in which special training is of greatly increased value, I believe such a rule as to the tenure of office should obtain as may induce men of proper qualifications to apply themselves industriously to the task of becoming proficients. Bearing these things in mind, I have endeavored to reduce the number of changes in subordinate places usually made upon the change of the general administration, and shall most heartily coöperate with Congress in the better systematizing of such methods and rules of admission to the public service, and of promotion within it, as may promise to be most successful in making thorough competency, efficiency, and character the decisive tests in these matters.

I ask the renewed attention of Congress to what has already been done by the Civil Service Commission, appointed in pursuance of an act of Congress by my predecessor, to prepare and revise civil service rules. In regard to much of the departmental service, especially at Washington, it may be difficult to organize a better system than that which has thus been provided, and it is now being used to a considerable extent under my direction. The commission has still a legal existence, although for several years no appropriation has been made for defraying its expenses. Believing that this commission has rendered valuable service, and will be a most useful agency in improving the administration of the civil service, I respectfully recommend that a suitable appropriation, to be immediately available, be made to enable it to continue its labors.

It is my purpose to transmit to Congress as early as practicable a report by the chairman of the commission, and to ask your attention to such measures on this subject as in my opinion will further promote the improvement of the civil service.[1]

Meanwhile, it had become evident that there could be small hope of taking the New York Custom-House out of politics as long as Collector Arthur and the other chief officers were men who, not only had no sympathy with reform principles, but believed thoroughly in using their official power and position in the management and control of the New York Republican machine. Mr. Cornell, the Naval Officer, was the chairman of the Republican State Committee, and he had openly defied the President's order of June 22 by continuing to act in that capacity. If such conduct on the part of so conspicuous an officer was condoned, the President's order would at once have become a dead letter. It would have been a virtual announcement to all government employees that the order had been suspended or abrogated.[2]

[1] "The message has been well received — encouragingly so. It has but little on the reform of the civil service. I must now prepare a special message. Let me say: —

"1. There should be legislation [which] will relieve Congressmen from all responsibility for the appointments. They must neither seek to control nor even to influence appointments.

"If Congress fails to legislate for this end, I must adopt and publish rules.

"2. Divorce officeholders from the active management of politics.

"3. Admit to subordinate places on examinations.

"4. Retain all good officers during their terms and establish rules." (Diary, December 6, 1877.)

[2] It must be admitted, however, that this order was never consistently and effectively enforced. It did check and restrict the interference of officeholders in politics; but as men that violated its injunctions were not invariably and promptly dismissed, it gradually came to be looked on more as a counsel of

At the same time it was obvious that the attempt to supersede the custom-house officers would be fiercely contested by Senator Conkling, whose lieutenants they were. The Republican state convention at Rochester in September, which was dominated by Mr. Conkling, had exultantly rejected a resolution commending the President's reform programme. Under the vicious "courtesy of the Senate" canon, and with the widespread disaffection among the more radical Republicans toward the President's policies, there was strong probability that any new men the President might name would fail of confirmation. But the President did not hesitate to do his part. Messrs. Arthur and Cornell refused to resign when requested to do so. Whereupon the President decided on their removal, and early in November sent to the Senate the names of Theodore Roosevelt, L. Bradford Prince, and Edwin A. Merritt to succeed Mr. Arthur, Collector, Mr. Cornell, Naval Officer, and Mr. Sharpe, Surveyor of the Port (whose term had expired). And at once the fight was on. The sober sense of the country and the more influential journals that were committed to reform applauded the President's action; the practical politicians and the papers that reflected their views raised a clamor of condemnation. Mr. Conkling labored unceasingly to defend the prescriptive right of a Senator to veto appointments in his State that he had not suggested or approved. It was an insult to his dignity, an

perfection than as an imperative rule of conduct. Civil service reformers of the straitest sect were sadly disappointed at the President's failure to punish infractions of the order. But the average opinion of the country regarded his conduct leniently, not yet being educated (who will venture to say that it even now is?) to resent official meddling in political processes and party manipulation.

On this subject, a year after his retirement from the White House, Mr. Hayes wrote in his diary (July 4, 1882): —

"I occasionally hear that the rule as to interference of federal officers in elections was not enforced. But it must be admitted that on this subject a vast and beneficial change was effected. The Administration did not through its office-holders interfere or seek to interfere with the freedom of elections. Those who were active were not as a rule friends of the Administration, but its opponents. Take the case of the important offices at Portland, Boston, Providence, New York, Philadelphia, Cincinnati, St. Louis, etc., etc. For the first [time] in fifty years those great offices were not used to promote the party and personal ends of the Administration.

"As to assessments. All officers were distinctly notified that they need not contribute to political purposes. There were large numbers who did not do so, and none of them were removed, or prejudiced by their neglect or refusal to contribute."

interference with his party authority, an assault on the party itself, for the President to displace his friends, his coadjutors in defending and fortifying the Republican cause in the Empire State, and to appoint men in their stead without consulting his wishes. In standing out against such action, he would not be thought of as swayed by merely personal motives; he was seeking to preserve the dignity of the Senate itself. Let these nominations, which were most obnoxious to him, be confirmed and what had become of the "courtesy of the Senate," that beneficent principle which recognized the Senators of each State (of the dominant party) as best fitted to determine the propriety of any appointment from their State? The Republican Senators generally supported Conkling, even Blaine for the time consenting to assist his dearest enemy. Mr. Hayes watched the progress of the controversy which continued among the Senators for many days. December 9 he wrote in his diary: —

I am now in a contest on the question of the right of Senators to dictate or control nominations. Mr. Conkling insists that no officer shall be appointed in New York without his consent, obtained previously to the nomination. This is the first and most important step in the effort to reform the civil service. It now becomes a question whether I should not insist that all who receive important places should be on the right side of this vital question. None who are opposed to the Cincinnati platform on this important question are to be regarded as Republicans in good standing. How would this do? Rather radical, probably, but if the war goes on I must think of it.[1]

Finally the nominations came to a vote. Mr. Roosevelt and Mr. Prince failed of confirmation and Mr. Merritt was approved, in accordance with the recommendation of Mr. Conkling's committee. Whereupon Mr. Hayes calmly wrote: —

December 13, 1877. — In the language of the press, "Senator Conkling has won a great victory over the Administration." My New York

[1] "The Senatorial usurpation is now the question. The immediate result is in doubt. In the end the claim of a single Senator to control all nominations in his State will be found so preposterous that it will fall of its own weight." (From letter of Mr. Hayes to William Henry Smith, December 8, 1877.)

"It looks as if the courtesy, *esprit de corps*, etc., etc., of the Senate would keep them in Conkling's hands. I can't think this will in the long run succeed. In any event, I shall go on in the path I have chosen. It is to be regretted that the division exists, but I do not feel blamable, and shall try not to increase it heedlessly." (From letter of Mr. Hayes to General M. F. Force, December 12, 1877.)

nominations were rejected, 31 to 25.[1] But the end is not yet. I am right, and shall not give up the contest.

Mr. Hayes was too good a general to abandon a campaign which he had carefully planned because of one defeat. Delay in further action might be necessary, while other subjects of grave interest were demanding attention, but the contest was to go on until victory was achieved.[2] Other names might have been sent

[1] Only a few Republicans voted in favor of confirmation.

[2] The more ardent advocates of ideal civil service reform criticized Mr. Hayes because he had not at once removed the New York Custom-House officers when the Jay commission's first report was made. It was apparent that no reform could be expected from them. Probably that would have been the wiser as it would have been the bolder course. That Mr. Hayes was touched by this criticism is apparent from the following letter: —

EXECUTIVE MANSION,
WASHINGTON, December 31, 1877.

MY DEAR SIR, — I have your note of the 26th. It would gratify me, and I think be useful to the cause, if we could have a good long talk over the situation. If you can write me your views or rather precisely what ought to be said in the message on reform, it would aid greatly. How to appoint? How to remove? How to divorce officeholding from the active work of party politics? How to separate the legislative from the executive function of appointment — are the points. I am sorry to find in your note even a hint that you doubt my loyalty to the minority in this contest. Loss of confidence in those who lose a fight, or even a skirmish, is common; but I hope it will not be, in this case, permanent. — Sincerely,

R. B. HAYES.

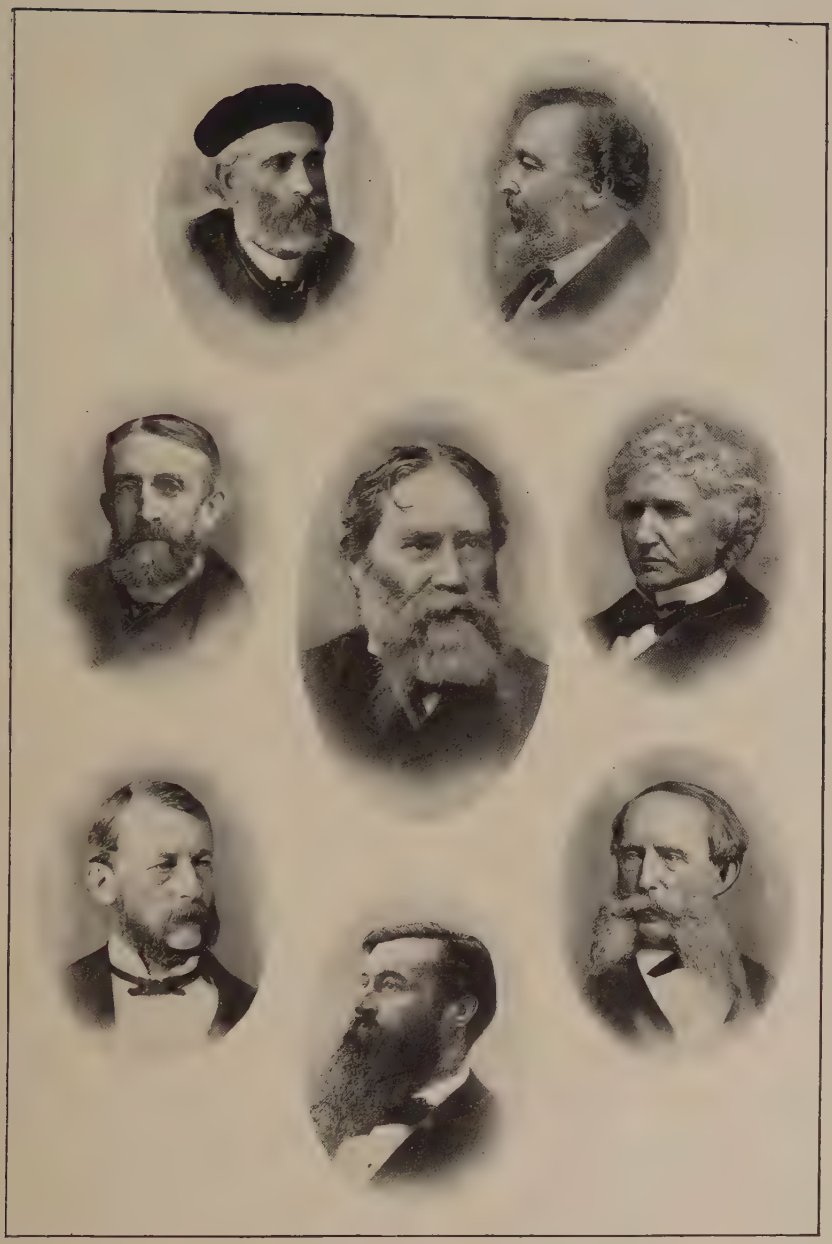
HON. GEORGE WILLIAM CURTIS.

March 12, 1878, reviewing in his diary the first year of his Administration, Mr. Hayes finds much achieved to improve the civil service. He writes: —

"The end of the first year of my Administration furnishes a topic for the press. There is enough of favorable comment from independent papers like the New York *Post*, the [Cincinnati] *Gazette*, the [Cincinnati] *Commercial*, the Boston *Advertiser*, the Philadelphia papers, and notably the religious newspapers; but the body of the party papers of both parties are the other way. The main point is that the President has so few supporters in Congress and among the newspapers.

"It is to be remarked that a non-partisan President or Administration will, of course, be feebly supported, if at all, in Congress or by the press. The party men do not like it among the Republicans, and Democrats find no interest in heartily supporting an Administration they did not elect. On the whole, the Republican party has been strengthened rather than weakened by the Administration. We are in a period when old questions are settled, and the new are not yet brought forward. Extreme party action if continued in such a time would ruin the party. Moderation is its only chance. The party out of power gains by all partisan conduct of those in power. On the whole, the year's work has produced results.

"1. Peace, safety, order in the South to an extent not known for half a century.



JAMES M. COMLY BAYARD TAYLOR

ANDREW D. WHITE JAMES RUSSELL LOWELL E. W. STOUGHTON

JOHN A. KASSON EDWARD F. NOYES JOHN WELSH

PRESIDENT HAYES'S DIPLOMATIC APPOINTMENTS

to the Senate, but as Messrs. Roosevelt and Prince were not rejected because of unfitness, there was no likelihood that the Senate in its present temper would treat other names with favor. What its temper was, at least as manifested by the controlling spirits, is indicated by Senator Howe's bitter speech [1] late in March, 1878, and by Senator Sargent's effort to commit the Republican congressional caucus to a repudiation of the President's civil service order. April 13, 1878 Mr. Hayes writes: —

The Republican Congressmen held a caucus early this week for organization. The feature of the affair was the failure of Senator Sargent

"2. The riots — not a man shot, but order promptly and firmly upheld.

"3. A vigorous and successful Mexican policy.

"4. Civil service reforms: (*a*) No nepotism in executive appointments. (*b*) No machine work by federal officeholders, in caucuses or elections. (*c*) Congressional dictation resisted, — for the most part successfully. (*d*) Removals except for cause not made; fewer removals than under any Administration in its first year since John Q. Adams's. (*e*) Officers secure in their terms, if conduct, official and private, is good.

"5. The financial management has steadily adhered to the policy of a sound currency, untainted credit, and a faithful fulfilment of pecuniary obligations.

"6. The pervading sense of responsibility for faithful and honest official conduct has given purity and efficiency to the service. Fewer scandals than before in many years.

"7. A list of foreign appointments, and officials retained, that will compare well with *any* previous period in our history. Look at our European representatives: Welsh, England; Noyes, France; Taylor, Germany; Lowell, Spain; Marsh, Italy; Kasson, Austria; Stoughton, Russia; Maynard, Turkey; Read, Greece.

"8. The most important appointments are the judicial. They are for life, and the judiciary of the country concerns all interests public and private. My appointments will bear examination: Harlan, Justice of the Supreme Court; Baxter and Blatchford, Circuit Court; Bancroft Davis, Court of Claims; District judges in Vermont, Wisconsin, New York.

"9. Bureau officers appointed: McCormick, Defrees, Tyner, General Le Duc, Hawley, McPherson, Porter, Reynolds, Schofield."

The next day he writes: —

"The election of Governor Prescott and the administration ticket in New Hampshire, notwithstanding the defection of Chandler and his followers, is very gratifying. It encourages me to be more and more faithful in adhering to reform of the civil service. Let me disregard more and more 'influence' of every sort, and be guided by a sense of duty alone. It is hard to have friends made sour because their wishes are not heeded. Newspaper and other abuse is not comforting, to say the least. But the second thought of the best people is I believe with me. — Good for New Hampshire!"

[1] "Senator Howe, of Wisconsin, made his long-heralded speech against the Administration. It was crammed full of hatred and prejudice. But it showed his malice without introducing any new fact or argument. His grievance is the failure to appoint him judge." (Diary, March 26, 1878.)

to procure the passage of a resolution condemning the civil service order of the President which forbids federal officeholders from managing the party politics of the country. His resolutions request the President to rescind this order. Senator Sargent wishes the doctrine announced that the ninety thousand officials in the executive branch of the civil service shall participate "in meetings, caucuses, conventions, and committees of a political character." This resolution of Senator Sargent and the speech of Senator Howe present very fairly the issue between the Senate and the Republican party. Sargent and Howe think that Senators should appoint the officeholders and that the officeholders should manage the politics of the country. This would be in my judgment a very unfortunate issue for the party to adopt. The doctrine of the party in 1876 before the election was that officeholders should be appointed by the President and confirmed by the Senate; and that their whole services belonged to the Government. The Senators' doctrine reverses this. They say we will appoint the officers, and our officers shall rule the party, and our party shall rule the country. With this senatorial claim the members of the House of Representatives have very little personal interest. If the patronage of the Government is to be controlled by Congress, that branch of Congress will absorb it which has the power of confirmation. The Senate will leave to the House only what it does not want.

This question of senatorial patronage is the salient point in the improvement of the civil service. It is the interest of the country that its business shall be well done and that the area of patronage shall be limited. But if the officeholders are to look after party politics, to make nominations, and to win party victories, they will be appointed not for fitness to discharge the legitimate duties of their offices, but for skill in wire-pulling. No Senator would diminish their number. If ninety thousand are useful, a hundred thousand will be still more useful. The Howe and Sargent system is that Senators shall make the officeholders, and that the officeholders shall make the Senators. How many victories can the Republican party gain on such a platform? The watchword of the people against the officeholders would soon be raised, and the party on the wrong side of the question would go under.

I would say the same about the order as to officeholders. It did at the first elections after its issue disorganize the party. The accustomed managers were many of them in office. For the most part the officeholders obeyed the order. This created disturbance. But the committees have been reorganized. Volunteers have been found to take the places of the regular machine men. The new blood is vigorous. The late elections show it. New Hampshire and Rhode Island Republicans fought successful battles with new men. The people have always had a certain feeling against the dictation of officeholders. "They ought to mind their own business" has often been heard, and still oftener has been thought. Jefferson and the earlier statesmen opposed it. Clay and Webster and

other Whig leaders were against it. Howe and Sargent do not represent the best sentiment of the party on this subject. I have from Milwaukee a protest against Senator Howe's speech. It is signed by the best Republicans in the principal city of his State. I do not hear of any popular endorsement in his own State of his doctrines. It is said that nine tenths of the Republicans of Milwaukee are opposed to them.

I do not defend mistakes in methods. I do not insist on my own particular plans. If better plans are proposed, I shall be ready to support them. But the important ends must not be abandoned. Officeholders must attend to the public business, and not become organized political machines. The appointing power may be regulated by law, to the end that honesty, efficiency, and economy may be promoted, but it must not be transferred to the Senate. It must be left where the Constitution placed it. Officeholders who participate actively in politics do not strengthen a party of principle. People resent their interference. It is felt that officeholders are the servants of the public, and ought not to assume to be masters.

It is said that this doctrine degrades the officer. Are our present officers degraded? Do you not honor the officer who faithfully attends to his duty? Do the officers feel humiliated? I do not hear of resignations on this account.

Meanwhile, further investigation was made by the Treasury Department of the methods pursued by the New York Custom-House in the conduct of the Government's business,[1] which only served to confirm the findings of the Jay commission, though many of the recommendations of that commission had reluctantly been put in effect by Mr. Arthur.[2] As Mr. Sherman later informed the Senate: "A very brief experience proved that any hope of carrying out any systematic reforms or changes in the mode of conducting the business would be abortive while the collector held his position. The same system, the same persons,

[1] Among the abuses prevailing in the New York Custom-House were excessive damage allowances and undervaluation of imports. These led to great complaints from merchants of other cities, who found it impossible to import goods directly and compete with New York importers. William Henry Smith, collector at Chicago, was largely instrumental in directing attention to these abuses and getting them corrected.

[2] "The President was strongly of the opinion, upon the reports of the Jay commission, that the public interests demanded a change in the leading offices in the New York Custom-House. I preferred to try to execute the reforms proposed with Mr. Arthur in office, rather than a stranger. The President acquiesced in this view, but gradually it became evident that neither Mr. Arthur nor Mr. Cornell was in sympathy with the recommendations of the commission, and could and did obstruct their fair execution." (John Sherman, January 15, 1879, to the Senate.)

the same influences prevailed as before." [1] Consequently, soon after the adjournment of Congress the President, in midsummer, 1878, exercised his right to suspend the discredited officers, putting E. A. Merritt in Mr. Arthur's place [2] and S. W. Burt in Mr. Cornell's place. Both appointments were in the nature of promotions, Mr. Merritt having, as Surveyor of the Port, introduced many reforms since his appointment in the December preceding, and Mr. Burt having, as Mr. Cornell's deputy, been performing practically all the duties of the office. Charles K. Graham was appointed to succeed General Merritt as Surveyor of the Port. The action of the President was applauded by all intelligent friends of reform. The partisans of Conkling, on the other hand, broke into a very frenzy of denunciation and abuse.[3] The new officers proceeded at once to introduce more business-like methods, and the improvement in the service was already noteworthy by the time Congress reassembled in December. The President at once sent his nominations to the Senate. Mr. Conkling and the spoilsmongers again sought to defeat the President. In his diary, December 16, Mr. Hayes writes: —

> The political event of the last week is the opposition of Conkling to the New York appointments. This is a test case. The Senators generally *prefer* to confirm Merritt and Graham. But many, perhaps a majority, will not oppose Conkling on the question. Senatorial courtesy, the senatorial prerogative, and the fear of Conkling's vengeance in future control them. He is, like Butler, more powerful because he is vindictive and not restrained by conscience. The most noticeable weakness of Congressmen is their timidity. They fear the use to be made of their "record." They are afraid of making enemies. They do not vote according to their convictions from fear of consequences.

Conkling and his confederates were able to delay action for two months, during which time discussion of the whole episode became a burden to the public mind. Finally, January 31, the President sent to the Senate a special message, transmitting a letter of Secretary Sherman which clearly set forth the reasons for the suspension of Messrs. Arthur and Cornell. The message,

[1] *Ibid.*

[2] Theodore Roosevelt had died meanwhile, or he might have been reappointed.

[3] "The supporters of Senator Conkling burst into furious denunciation of the act as a gross insult to the Senate, and a treachery, a defiance, a stab in the back, a foul blow, an outrage, a persecution, and every other kind of infamous proceeding toward the Senator." (*Harper's Weekly*, August 18, 1878.)

which forcibly presented the President's views, was as follows: —

To the Senate of the United States: —

I transmit herewith a letter of the Secretary of the Treasury, in relation to the suspension of the late Collector and Naval Officer of the Port of New York, with accompanying documents.

In addition thereto I respectfully submit the following observations:

The custom-house in New York collects more than two thirds of all the customs revenues of the Government. Its administration is a matter, not of local interest merely, but is of great importance to the people of the whole country For a long period of time it has been used to manage and control political affairs. The officers suspended by me are, and for several years have been, engaged in the active personal management of the party politics of the city and State of New York. The duties of the offices held by them have been regarded as of subordinate importance to their partisan work. Their offices have been conducted as part of the political machinery under their control. They have made the custom-house a centre of partisan political management.

The custom-house should be a business office. It should be conducted on business principles. General James, the postmaster of New York City, writing on the subject, says: "The post-office is a business institution, and should be run as such. It is my deliberate judgment that I and my subordinates can do more for the party of our choice by giving the people of this city a good and efficient postal service than by controlling primaries or dictating nominations." The New York Custom-House should be placed on the same footing with the New York Post-Office. But under the suspended officers the custom-house would be one of the principal political agencies in the State of New York. To change this, they profess to believe, would be, in the language of Mr. Cornell, in his response, "to surrender their personal and political rights."

Convinced that the people of New York, and of the country generally, wish the New York Custom-House to be administered solely with a view to the public interest, it is my purpose to do all in my power to introduce into this great office the reforms which the country desires.

With my information of the facts in the case, and with a deep sense of the responsible obligation imposed upon me by the Constitution, to "take care that the laws be faithfully executed," I regard it as my plain duty to suspend the officers in question, and to make the nominations now before the Senate, in order that this important office may be honestly and efficiently administered.

R. B. Hayes.

Executive Mansion, *January* 31, 1879.

Two days later (February 2) the President wrote of this controversy in his diary: —

The contest in the Senate on the confirmation of my New York

nominations for the customs offices is close and as yet undecided. If confirmed against the votes and efforts of *both* of the New York Senators, the decision will be of great value. It will go far to settle —

1. The right of Senators to dictate appointments.
2. It will decide in favor of keeping the offices out of politics.

In that case I will lay down the law to my New York officers according to the doctrines of the strictest sect of civil service reformers. Two or three officers holding confidential relations with the chief officers may be left to their personal preference, but the great mass of appointments must be impersonal, and on principles that will stand the test. I shall say to General Merritt: Disregard all influence, all solicitation, all pressure — even if it come from me, or his immediate chief, the Secretary of the Treasury. In this way the question can be fairly tested, and the value of the civil service rules have an impartial trial in this, the most important office in the country.

I put the issue on solid grounds in a short message which I sent to the Senate on Friday, 31st. In the preliminary skirmishing we have had slightly the advantage, and we seem to be gaining. Judge Matthews leads on our side. Postponement has seemed to be our policy. Matthews beat Conkling 28 to 26 last Monday on postponement, and 35 to 26 last Friday on the same question. The decisive vote will be taken to-morrow, Monday.

February 3, after a prolonged debate, the "courtesy of the Senate" was invoked in vain, a majority of the Senators became reasonable, and the nominations were confirmed.[1] In all this controversy the personal integrity and honesty of Messrs. Arthur and Cornell were never questioned. But they were alike the victims and the exponents of an evil system whose wickedness and perversion they not only would not see, but even actually defended as proper and righteous. There could be no hope of real reform under the direction of men who honestly believed that the old system was founded on correct principles, and who regarded the efforts to free it from politics and to make it solely an efficient instrument of public service as fantastic, visionary, and mischievous.

The President immediately wrote the following letter to General Merritt: —

[1] "We are successful. The New York nominations, Merritt and Burt, were confirmed against Arthur and Cornell after five or six hours' debate by a vote of 33 to 24. Thirteen Republicans voted to confirm. There were two or three others who were of the same mind, but were controlled by promises. One or two would have voted with us if their votes had been needed." (Diary, February 4, 1879.)

EXECUTIVE MANSION,
WASHINGTON, February 4, 1879.

DEAR GENERAL, — I congratulate you on your confirmation. It is a great gratification to your friends, very honorable to you, and will prove, I believe, of signal service to the country.

My desire is that your office shall be conducted on strictly business principles, and according to the rules which were adopted, on the recommendation of the Civil Service Commission, by the Administration of General Grant. In making appointments and removals of subordinates, you should be perfectly independent of mere influence. Neither my recommendation nor that of the Secretary of the Treasury, nor the recommendation of any member of Congress, or other influential person, should be specially regarded. Let appointments and removals be made on business principles, and by fixed rules. There must be, I assume, a few places the duties of which are confidential, and which would be filled by those whom you personally know to be trustworthy; but restrict the area of patronage to the narrowest possible limits. Let no man be put out merely because he is a friend of the late collector, and no man be put in merely because he is our friend. I am glad you approve of the message sent to the Senate. I wish you to see that all that is expressed in it, and all that is implied in it, is faithfully carried out.

With the assurance of my entire confidence, I remain, sincerely,

R. B. HAYES.

GENERAL E. A. MERRITT,
Collector of Customs, New York.

Briefer letters to similar effect were sent to Messrs. Burt and Graham,[1] and the three officers worked in harmony to carry out the wishes of the President.[2] For the remainder of his

[1] The letter to Mr. Burt was as follows: —

6th February, 1879.

MY DEAR SIR, — I beg you to receive my sincere congratulations on your confirmation. My desire is that the result may prove advantageous to the country. I have written General Merritt that I wish the office conducted on business principles, and under sound civil service rules. You were on the commission under General Grant. I therefore request you to have a conference with General Merritt and General Graham and agree upon a body of rules for the government of your offices, based on the rules reported by the commission, with such alterations as you deem advisable. — Sincerely,

R. B. HAYES.

TO HON. SILAS W. BURT.

For the "Regulations Governing Appointments in the Customs Service and Subtreasury in the City of New York," which were formulated at this time and approved by President Hayes March 6, 1879, see Richardson, *Messages and Papers of the Presidents*, vol. VII, p. 550, *et seq.*

[2] "It has been a very popular fashion to sneer at the 'reforms' of this Administration. Let us see. Is it nothing that the Executive absolutely declines

Administration the New York Custom-House was freer from politics, was more nearly and strictly conducted on business principles, than ever before or much of the time since.[1]

Thomas L. James, postmaster of New York, whose pregnant words[2] Mr. Hayes had quoted in his message of January 31, had for some time been observing practical reform principles

congressional dictation in appointments, and that members of Congress understand it? Is it nothing that the monstrous party extortion called 'voluntary contributions' for elections has been practically abolished, so far as the Administration is concerned? Is it nothing that in the two great public offices in New York — the custom-house and the post-office — appointments and promotions are uniformly made upon ascertained merit, and not by personal or political favor? These things have been done, and it is no answer to say that other things have not been done. They are done, not, indeed, by a law of Congress, but by executive choice, and they are immense gains to the cause of better politics, because they demonstrate clearly the perfect practicability of a sound system." (George William Curtis, *Harper's Weekly*, May 31, 1879.)

[1] General Merritt in his final report (July 20, 1881) of his service as collector was able to say: —

"It has also been our purpose to elevate the standard of the service as much as possible by considerate and reformatory discipline. I feel justified in stating that there has been a decided improvement in that regard. Fewer complaints have been made against officers, and the business community has in various ways expressed its appreciation of the improved morale of the force. . . .

"The civil service policy of President Hayes, which was embodied in the rules promulgated by him to govern the appointments in the custom-house, has in a large measure served the purpose intended. I am of the opinion that, applying the simple test of efficiency and character as compared with appointments heretofore made, it may be declared a complete success. While it is possible for the nominating officer, if unembarrassed by political considerations, to select competent and trustworthy men, yet with the desire to do so, he would still often be open to the charge of favoritism, and it is practically impossible to become sufficiently acquainted with applicants at the outset to determine as to the wisdom of their appointment.

"The present rules have at least one merit, that the tests, whether the best that can be devised or not, are fair and absolutely impartial. Rules, however, to have the fullest measure of respect, should apply to all branches of the civil service under similar conditions. Permanency of tenure is an important consideration if the employee is of proved competency and trustworthiness."

The New York *Tribune* (July 30, 1881), commenting on this report, declared: "No other collector has ever made so satisfactory a showing. . . . Judge Robertson will assume control of a force well disciplined and equipped for duty, and a force enlightened by an experimental knowledge of the fact that the business of the Government can be transacted successfully upon the same principles which are recognized as the foundations of success in the ordinary business of human life."

[2] These words were taken from a letter, written by Mr. James, during the preceding political campaign, to George William Curtis, which Mr. Curtis sent to the President.

in the conduct of his office. These principles were now embodied in a code of rules, governing appointments, promotions, and dismissals, which was approved by the President and ordered to be enforced. A copy of this code was sent to the heads of other large offices in the civil service, to be adopted by them with such modification as might seem advisable in the different branches of the service.

It had been Mr. Hayes's purpose, as intimated in his first annual message, to prepare a special message on the improvement of the civil service. Frequent references are made to the subject in his diary and data were assembled. But for some reason the project was given up. In his second annual message, indeed, no reference was made to the subject, for the reason, possibly, that it was felt to be quite useless at that time to reiterate views that were perfectly well known; or it may even have been thought that a recurrence to the subject at that particular juncture might serve further to arouse the antipathy of the Senators to whom the New York appointments were presently to be submitted. Increased experience in dealing with the problem in its many ramifications made the difficulty of its permanent solution constantly clearer to the President's mind. A few days after the letter to General Merritt (February 14), the diary has the following: —

> There can be no complete and permanent reform of the civil service until public opinion emancipates Congressmen from all control and influence over government patronage. Legislation is required to establish the reform. No proper legislation is to be expected as long as members of Congress are engaged in procuring offices for their constituents. It is not for me to lay down rules for the personal conduct of members of Congress on this subject. I shall certainly give due weight to information received from Congressmen, whether it is volunteered or given on my request. The end the public are interested in is the independence of Congressmen of all responsibility for appointments, and this depends largely on the people themselves. Let government appointments be wholly separated from congressional influence and control except as provided in the Constitution and all needed reforms of the service will speedily and surely follow. Impressed with the vital importance of good administration in all departments of Government, I must do the best I can, unaided by public opinion, and opposed in and out of Congress by a large part of the most powerful men in my party. I have written a letter to General Merritt which taken with my message embodies the leading

principles on which I desire the officers appointed by me to administer their offices. I will have them printed together, and send them to important officers, as occasion seems to demand.

In his third annual message, December 1, 1879, Mr. Hayes devoted much space to an earnest discussion of the evils of the spoils system and to a summary of the results achieved, under difficulties, by the application of reform principles to the conduct of the public service in many of the principal offices. And he made an eloquent plea for further legislation to support the reform work and to make it permanent. The portion of his message given to this topic was as follows: —

In a former message I invited the attention of Congress to the subject of the reformation of the civil service of the Government, and expressed the intention of transmitting to Congress, as early as practicable, a report upon this subject by the chairman of the Civil Service Commission.

In view of the facts that, during a considerable period, the Government of Great Britain has been dealing with administrative problems and abuses, in various particulars analogous to those presented in this country, and that in recent years the measures adopted were understood to have been effective and in every respect highly satisfactory, I thought it desirable to have fuller information upon the subject, and accordingly requested the chairman of the Civil Service Commission to make a thorough investigation for this purpose. The result has been an elaborate and comprehensive report.

The report sets forth the history of the partisan spoils system in Great Britain, and of the rise and fall of the parliamentary patronage, and of official interference with the freedom of elections. It shows that after long trials of various kinds of examinations, those which are competitive and open on equal terms to all, and which are carried on under the superintendence of a single commission, have, with great advantage, been established as conditions of admission to almost every official place in the subordinate administration of that country and of British India. The completion of the report, owing to the extent of the labor involved in its preparation, and the omission of Congress to make any provision either for the compensation or the expenses of the Commission, has been postponed until the present time. It is herewith transmitted to Congress.

While the reform measures of another Government are of no authority for us, they are entitled to influence, to the extent to which their intrinsic wisdom and their adaptation to our institutions and social life may commend them to our consideration.

The views I have heretofore expressed concerning the defects and abuses in our civil administration remain unchanged, except in so far

as an enlarged experience has deepened my sense of the duty both of officers and of the people themselves to coöperate for their removal. The grave evils and perils of a partisan spoils system of appointment to office and of office tenure are now generally recognized. In the resolutions of the great parties, in the reports of Departments, in the debates and proceedings of Congress, in the messages of Executives, the gravity of these evils has been pointed out and the need of their reform has been admitted.

To command the necessary support, every measure of reform must be based on common right and justice, and must be compatible with the healthy existence of great parties, which are inevitable and essential in a free state.

When the people have approved a policy at a national election, confidence on the part of the officers they have selected, and of the advisers who, in accordance with our political institutions, should be consulted, in the policy which it is their duty to carry into effect, is indispensable. It is eminently proper that they should explain it before the people, as well as illustrate its spirit in the performance of their official duties.

Very different considerations apply to the greater number of those who fill the subordinate places in the civil service. Their responsibility is to their superiors in official position. It is their duty to obey the legal instructions of those upon whom that authority is devolved, and their best public service consists in the discharge of their functions irrespective of partisan politics. Their duties are the same, whatever party is in power and whatever policy prevails. As a consequence, it follows that their tenure of office should not depend on the prevalence of any policy or the supremacy of any party, but should be determined by their capacity to serve the people most usefully, quite irrespective of partisan interests. The same considerations that should govern the tenure should also prevail in the appointment, discipline, and removal of these subordinates. The authority of appointment and removal is not a perquisite which may be used to aid a friend or reward a partisan, but is a trust to be exercised in the public interest, under all the sanctions which attend the obligation to apply the public funds only for public purposes.

Every citizen has an equal right to the honor and profit of entering the public service of his country. The only just ground of discrimination is the measure of character and capacity he has to make that service most useful to the people. Except in cases where, upon just and recognized principles, — as upon the theory of pensions, — offices, and promotions are bestowed as rewards for past services, their bestowal upon any theory which disregards personal merit is an act of injustice to the citizen, as well as a breach of that trust subject to which the appointing power is held.

In the light of these principles, it becomes of great importance to provide just and adequate means, especially for every department and large administrative office, where personal discrimination on the part of its head is not practicable, for ascertaining those qualifications to which

appointments and removals should have reference. To fail to provide such means is not only to deny the opportunity of ascertaining the facts upon which the most righteous claim to office depends, but, of necessity, to discourage all worthy aspirants by handing over appointments and removals to mere influence and favoritism. If it is the right of the worthiest claimant to gain the appointment, and the interest of the people to bestow it upon him, it would seem clear that a wise and just method of ascertaining personal fitness for office must be an important and permanent function of every just and wise government. It has long since become impossible, in the great offices, for those having the duty of nomination and appointment to personally examine into the individual qualifications of more than a small proportion of those seeking office, and, with the enlargement of the civil service, that proportion must continue to become less.

In the earlier years of the Government, the subordinate offices were so few in number that it was quite easy for those making appointments and promotions to personally ascertain the merits of candidates. Party managers and methods had not then become powerful agencies of coercion, hostile to the free and just exercise of the appointing power.

A large and responsible part of the duty of restoring the civil service to the desired purity and efficiency rests upon the President, and it is my purpose to do what is within my power to advance such prudent and gradual measures of reform as will most surely and rapidly bring about that radical change of system essential to make our administrative methods satisfactory to a free and intelligent people. By a proper exercise of authority, it is in the power of the Executive to do much to promote such a reform. But it cannot be too clearly understood that nothing adequate can be accomplished without coöperation on the part of Congress and considerate and intelligent support among the people. Reforms which challenge the generally accepted theories of parties and demand changes in the methods of departments are not the work of a day. Their permanent foundations must be laid in sound principles and in an experience which demonstrates their wisdom and exposes the errors of their adversaries. Every worthy officer desires to make his official action a gain and an honor to his country, but the people themselves, far more than their officers in public station, are interested in a pure, economical, and vigorous administration.

By laws enacted in 1853 and 1855, and now in substance incorporated in the Revised Statutes, the practice of arbitrary appointments to the several subordinate grades in the great Departments was condemned, and examinations, as to capacity, to be conducted by departmental boards of examiners, were provided for and made conditions of admission to the public service. These statutes are a decision by Congress that examinations of some sort, as to attainments and capacity, are essential to the well-being of the public service. The important questions since the enactment of these laws have been as to the character of these examinations, and whether official favor and partisan influence, or

common right and merit, were to control the access to the examinations. In practice, these examinations have not always been open to worthy persons generally who might wish to be examined. Official favoritism and partisan influence, as a rule, appear to have designated those who alone were permitted to go before the examining boards, subjecting even the examiners to a pressure from the friends of the candidates very difficult to resist. As a consequence, the standard of admission fell below that which the public interest demanded. It was also almost inevitable that a system which provided for various separate boards of examiners, with no common supervision or uniform method of procedure, should result in confusion, inconsistency, and inadequate tests of capacity highly detrimental to the public interests. A further and more radical change was obviously required.

In the annual message of December, 1870, my predecessor declared that — "There is no duty which so much embarrasses the Executive and heads of Departments as that of appointments; nor is there any such arduous and thankless labor imposed on Senators and Representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men for the public places. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States." Congress accordingly passed the act, approved March 3, 1871, "to regulate the civil service of the United States and promote the efficiency thereof," giving the necessary authority to the Executive to inaugurate a civil service reform.

Acting under this statute, which was interpreted as intended to secure a system of just and effectual examinations under uniform supervision, a number of eminently competent persons were selected for the purpose, who entered with zeal upon the discharge of their duties, prepared, with an intelligent appreciation of the requirements of the service, the regulations contemplated, and took charge of the examinations, and who, in their capacity as a board, have been known as the "Civil Service Commission." Congress for two years appropriated the money needed for the compensation and for the expense of carrying on the work of the commission.

It appears from the report of the commission, submitted to the President in April, 1874, that examinations had been held in various sections of the country, and that an appropriation of about twenty-five thousand dollars would be required to meet the annual expenses, including salaries, involved in discharging the duties of the commission. The report was transmitted to Congress by special message of April 18, 1874, with the following favorable comment upon the labors of the commission: "If sustained by Congress, I have no doubt the rules can, after the experience gained, be so improved and enforced as to still more materially benefit the public service and relieve the Executive, members of Congress, and the heads of Departments, from influences prejudicial to good administration. The rules, as they have hitherto been enforced,

have resulted beneficially, as is shown by the opinions of the members of the Cabinet and their subordinates in the Departments, and in that opinion I concur." And in the annual message of December of the same year similar views are expressed, and an appropriation for continuing the work of the commission again advised.

The appropriation was not made, and, as a consequence, the active work of the commission was suspended, leaving the commission itself still in existence. Without the means, therefore, of causing qualifications to be tested in any systematic manner, or of securing for the public service the advantages of competition upon any extensive plan, I recommended in my annual message of December, 1877, the making of an appropriation for the resumption of the work of the commission.

In the meantime, however, competitive examinations under many embarrassments have been conducted within limited spheres in the executive Departments in Washington, and in a number of the custom-houses and post-offices of the principal cities of the country, with a view to further test their effects, and, in every instance, they have been found to be as salutary as they are stated to have been under the Administration of my predecessor. I think the economy, purity, and efficiency of the public service would be greatly promoted by their systematic introduction, wherever practicable, throughout the entire civil service of the Government, together with ample provision for their general supervision, in order to secure consistency and uniform justice.

Reports from the Secretary of the Interior, from the Postmaster-General, from the Postmaster in the city of New York, where such examinations have been some time on trial, and also from the Collector of the Port, the Naval Officer, and the Surveyor in that city, and from the postmasters and collectors in several of the other large cities, show that the competitive system, where applied, has, in various ways, contributed to improve the public service.

The reports show that the results have been salutary in a marked degree, and that the general application of similar rules cannot fail to be of decided benefit to the service.

The reports of the government officers in the city of New York, especially, bear decided testimony to the utility of open competitive examinations in their respective offices, showing that — "These examinations, and the excellent qualifications of those admitted to the service through them, have had a marked incidental effect upon the persons previously in the service, and particularly upon those aspiring to promotion. There has been on the part of these latter an increased interest in the work, and a desire to extend acquaintance with it beyond the particular desk occupied, and thus the morale of the entire force has been raised. . . . The examinations have been attended by many citizens who have had an opportunity to thoroughly investigate the scope and character of the tests and the method of determining the results, and those visitors have, without exception, approved the methods employed, and several of them have publicly attested their favorable opinion."

Upon such considerations, I deem it my duty to renew the recommendation contained in my annual message of December, 1877, requesting Congress to make the necessary appropriation for the resumption of the work of the Civil Service Commission. Economy will be promoted by authorizing a moderate compensation to persons in the public service who may perform extra labor upon or under the commission, as the Executive may direct.

I am convinced that if a just and adequate test of merit is enforced for admission to the public service and in making promotions, such abuses as removals without good cause, and partisan and official interference with the proper exercise of the appointing power, will in large measure disappear.

There are other administrative abuses to which the attention of Congress should be asked in this connection. Mere partisan appointments, and the constant peril of removal without cause, very naturally lead to an absorbing and mischievous political activity on the part of those thus appointed, which not only interferes with the due discharge of official duty, but is incompatible with the freedom of elections. Not without warrant, in the views of several of my predecessors in the Presidential office, and directly within the law of 1871, already cited, I endeavored by regulation, made on the 22d day of June, 1877, to put some reasonable limits to such abuses. It may not be easy, and it may never perhaps be necessary, to define with precision the proper limit of political action on the part of federal officers. But while their right to hold and freely express their opinions cannot be questioned, it is very plain that they should neither be allowed to devote to other subjects the time needed for the proper discharge of their official duties, nor to use the authority of their office to enforce their own opinions, or to coerce the political action of those who hold different opinions.

Reasons of justice and public policy, quite analogous to those which forbid the use of official power for the oppression of the private citizen, impose upon the Government the duty of protecting its officers and agents from arbitrary exactions. In whatever aspect considered, the practice of making levies for party purposes upon the salaries of officers is highly demoralizing to the public service and discreditable to the country. Though an officer should be as free as any other citizen to give his own money in aid of his opinions or his party, he should also be as free as any other citizen to refuse to make such gifts. If salaries are but a fair compensation for the time and labor of the officer, it is gross injustice to levy a tax upon them. If they are made excessive in order that they may bear the tax, the excess is an indirect robbery of the public funds.

I recommend, therefore, such a revision and extension of present statutes as shall secure to those in every grade of official life or public employment the protection with which a great and enlightened nation should guard those who are faithful in its service.

It is hardly necessary to recall that Congress was still out of sympathy with the movement for reform and refused to take any action. For the time being popular interest in the cause appeared to be so little excited that in 1880 the platform committee of the Republican National Convention ignored the subject and its failure was remedied only after debate by the body of the convention; while the Democratic National Convention made no pronouncement whatever for reform. Mr. Hayes, however, remained true to his principles, and in his final message, December 6, 1880, he made one more resolute attempt to stir Congress to action. Speaking out of the fulness of experience, he said: —

In my former annual messages I have asked the attention of Congress to the urgent necessity of a reformation of the civil service system of the Government. My views concerning the dangers of patronage, or appointments for personal or partisan considerations, have been strengthened by my observation and experience in the executive office, and I believe these dangers threaten the stability of the Government. Abuses so serious in their nature cannot be permanently tolerated. They tend to become more alarming with the enlargement of administrative service, as the growth of the country in population increases the number of officers and placemen employed.

The reasons are imperative for the adoption of fixed rules for the regulation of appointments, promotions, and removals, establishing a uniform method, having exclusively in view, in every instance, the attainment of the best qualifications for the position in question. Such a method alone is consistent with the equal rights of all citizens, and the most economical and efficient administration of the public business.

Competitive examinations, in aid of impartial appointments and promotions, have been conducted for some years past in several of the executive Departments, and by my direction this system has been adopted in the custom-houses and post-offices of the larger cities of the country. In the city of New York over two thousand positions in the civil service have been subject, in their appointments and tenure of place, to the operation of published rules for this purpose, during the past two years. The results of these practical trials have been very satisfactory, and have confirmed my opinion in favor of this system of selection. All are subjected to the same tests, and the result is free from prejudice by personal favor or partisan influence. It secures for the position applied for the best qualifications attainable among the competing applicants. It is an effectual protection from the pressure of importunity which, under any other course pursued, largely exacts the time and attention of appointing officers, to their great detriment in the discharge of other official duties, preventing the abuse of the service for the mere

furtherance of private or party purposes, and leaving the employee of the Government, freed from the obligations imposed by patronage, to depend solely upon merit for retention and advancement, and with this constant incentive to exertion and improvement.

These invaluable results have been attained in a high degree in the offices where the rules for appointment by competitive examination have been applied.

A method which has so approved itself by experimental tests, at points where such tests may be fairly considered conclusive, should be extended to all subordinate positions under the Government. I believe that a strong and growing public sentiment demands immediate measures for securing and enforcing the highest possible efficiency in the civil service and its protection from recognized abuses, and that the experience referred to has demonstrated the feasibility of such measures.

The examinations in the custom-houses and post-offices have been held under many embarrassments and without provision for compensation for the extra labor performed by the officers who have conducted them, and whose commendable interest in the improvement of the public service has induced this devotion of time and labor without pecuniary reward. A continuance of these labors gratuitously ought not to be expected, and without an appropriation by Congress for compensation, it is not practicable to extend the system of examinations generally throughout the civil service. It is also highly important that all such examinations should be conducted upon a uniform system and under general supervision. Section 1753 of the Revised Statutes authorizes the President to prescribe the regulations for admission to the civil service of the United States, and for this purpose to employ suitable persons to conduct the requisite inquiries with reference to "the fitness of each candidate, in respect to age, health, character, knowledge, and ability, for the branch of service into which he seeks to enter"; but the law is practically inoperative for want of the requisite appropriation.

I therefore recommend an appropriation of twenty-five thousand dollars per annum to meet the expenses of a commission, to be appointed by the President in accordance with the terms of this section, whose duty it shall be to devise a just, uniform, and efficient system of competitive examinations, and to supervise the application of the same throughout the entire civil service of the Government. I am persuaded that the facilities which such a commission will afford for testing the fitness of those who apply for office will not only be as welcome a relief to members of Congress as it will be to the President and heads of Departments, but that it will also greatly tend to remove the causes of embarrassment which now inevitably and constantly attend the conflicting claims of patronage between the legislative and executive departments. The most effectual check upon the pernicious competition of influence and official favoritism, in the bestowal of office, will be the substitution of an open competition of merit between the applicants, in

which every one can make his own record with the assurance that his success will depend upon this alone.

I also recommend such legislation as, while leaving every officer as free as any other citizen to express his political opinions and to use his means for their advancement, shall also enable him to feel as safe as any private citizen in refusing all demands upon his salary for political purposes. A law which should thus guarantee true liberty and justice to all who are engaged in the public service, and likewise contain stringent provisions against the use of official authority to coerce the political action of private citizens or of official subordinates, is greatly to be desired.

The most serious obstacle, however, to an improvement of the civil service, and especially to a reform in the method of appointment and removal, has been found to be the practice, under what is known as the spoils system, by which the appointing power has been so largely encroached upon by members of Congress. The first step in the reform of the civil service must be a complete divorce between Congress and the Executive in the matter of appointments. The corrupting doctrine that "to the victors belong the spoils" is inseparable from congressional patronage as the established rule and practice of parties in power. It comes to be understood by applicants for office, and by the people generally, that Representatives and Senators are entitled to disburse the patronage of their respective districts and States. It is not necessary to recite at length the evils resulting from this invasion of the executive functions. The true principles of government on the subject of appointments to office, as stated in the national conventions of the leading parties of the country, have again and again been approved by the American people, and have not been called in question in any quarter. These authentic expressions of public opinion upon this all-important subject are the statement of principles that belong to the constitutional structure of the Government.

"Under the Constitution, the President and heads of Departments are to make nominations for office. The Senate is to advise and consent to appointments, and the House of Representatives is to accuse and prosecute faithless officers. The best interests of the public service demand that these distinctions be respected; that Senators and Representatives, who may be judges and accusers, should not dictate appointments to office." To this end the coöperation of the legislative department of the Government is required alike by the necessities of the case and by public opinion. Members of Congress will not be relieved from the demands made upon them with reference to appointments to office until, by legislative enactment, the pernicious practice is condemned and forbidden.

It is, therefore, recommended that an act be passed defining the relations of members of Congress with respect to appointments to office by the President; and I also recommend that the provisions of section 1767, and of the sections following, of the Revised Statutes, comprising the Tenure-of-Office Act of March 2, 1867, be repealed.

Believing that to reform the system and methods of the civil service in our country is one of the highest and most imperative duties of statesmanship, and that it can be permanently done only by the coöperation of the legislative and executive departments of the Government, I again commend the whole subject to your considerate attention.

There could be no hope of legislation on so important a topic in the short term of Congress, even had there been any disposition on the part of the legislators to consider the matter. And no such disposition existed. So the Administration came to a close without the slightest action having been taken by the legislative branch of the Government to forward and make permanent the efforts to introduce rational methods in the civil service of the country which the Executive steadily pursued. During all of Mr. Hayes's term the Democrats were in control of the House of Representatives; during the last two years also of the Senate. The Democrats, by their platform of 1876, were as much pledged to a reform of the civil service as were the Republicans. One might have supposed, therefore, that conditions were favorable for the adoption of a reform to which both parties were formally committed. But the practical politicians in both parties were wedded to the spoils system, and would take no step toward its elimination except under the whip and spur of constraining public opinion. This was felt two years later [1] when (January, 1883) the Pendleton Bill — a genuine civil service reform measure — was adopted.[2] But even now, after all these years, much as has been done to establish the merit system, the ideal condition of the civil service toward which Mr. Hayes aspired, has by no means been achieved.

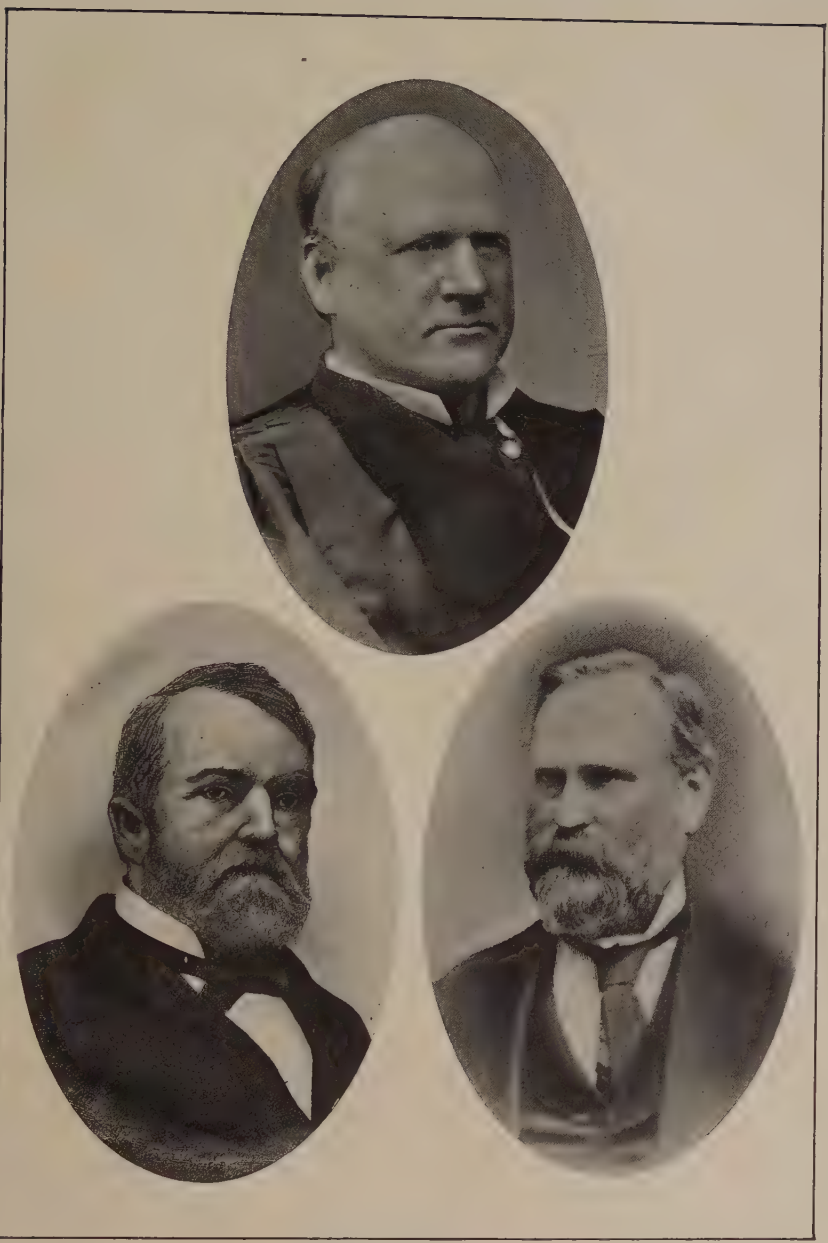
[1] President Arthur, anything but a civil service reformer, in his message of December 4, 1882, recognized the pressure of public opinion for reform, saying: "There has meanwhile [within the preceding twelve months] been an increase in the public interest in that subject; and the people of the country, apparently without distinction of party, have in various ways and upon frequent occasions given expression to their earnest wish for prompt and definite action. In my judgment such action should no longer be postponed."

[2] Dorman B. Eaton, the eminent civil service reformer, wrote in a letter to Mr. Hayes, January 27, 1883: "I hold it but due to you to say that, but for your courage and constancy in sustaining the merit system in the custom-house and post-office in New York, the reform could not have reached its present stage at this time. The examples of these offices, as spread before the country in your messages, have been schools of political education and an answer to misrepresentations and prejudices."

Senators and Congressmen still control patronage in the interest of their machines; men are often appointed to place, not simply on the ground of fitness, but rather as a reward for political services; officeholders are still busy in manipulating primaries and controlling conventions — local, state, and even national; and by many and various devices "voluntary" contributions to the party exchequers are extorted from officers and clerks. The wonder cannot be that Mr. Hayes did not accomplish more, but that he was able in the face of such adverse circumstances — lack of sympathy and opposition in his own party — to accomplish so much.

Of course, it would be too much to say that he was uniformly and unvaryingly consistent in his adherence to reform principles; that politics played no part in his appointments; that he resisted always the importunities of party leaders for the appointment of their henchmen; that he made no mistakes in his selection of men for important posts. He himself frankly acknowledged that he had made mistakes. He did not feel, however, that the criticism of his action in appointing, or allowing the appointment, to office of men interested in the disputed election controversy, either as visiting statesmen or as participants in the Republican party management in the disputed States, which was paraded in hostile journals, had substantial basis. The visiting statesmen who received appointments, like Sherman, Noyes, Harlan, Matthews, Stoughton, and Lew Wallace, were among the most eminent and trusted leaders of the party. That their part in the election dispute had anything to do with their selection for office is in the highest degree improbable. The men active in the Republican cause in the disputed States who received appointments were the leaders of the party in those States. Mr. Hayes never had any other notion than that these men had acted conscientiously; had done their duty under the law in the canvass of the votes. They certainly were not to be ostracized on that account and because they were denounced and defamed by Democratic partisans for their conduct. It is further to be said that the men appointed proved to be faithful and efficient officers.[1]

[1] The *Nation* of March 3, 1881, in reviewing Mr. Hayes's Administration, criticized Mr. Hayes severely because he had "provided the Louisiana politicians



JOHN M. HARLAN

WILLIAM B. WOODS STANLEY MATTHEWS

PRESIDENT HAYES'S SUPREME COURT APPOINTMENTS

Moreover, Mr. Hayes made no pretensions of being other than a party man. That is to say, he believed intensely in the principles of the Republican party; believed that under their application the country would have its best development, its greatest prosperity. He wished to strengthen the party, to increase its prospects of future success. The great needs of the country, as he conceived them, at the beginning of his Administration were: To restore constitutional and regular governments to the Southern States, and as far as practicable to put them in harmonious and proper relations to the whole country and to all classes of people; to bring back prosperity by a return to a sound currency; to improve the methods and system of the civil service. He desired to meet these needs in such a way as to make the Republican party stronger in the popular estimation and to restore it to full power in the Government. "The last was essential" in his view, as he wrote in briefly reviewing his Administration two months after he laid down the reins of government. "If at the end of my term," he proceeds, "the party which was on the wrong side of the Southern question, the financial question, and the civil service question should obtain power, all that might be gained by me on those questions would be lost. They already had Congress. With the solid South, they already had in the Electoral College eighteen more votes than were required to elect a President. In measuring my success on any or all of the first three points, it must be considered that success on the

who had counted him in with substantial rewards for their services"; and because his Cabinet had not been thoroughgoing civil service reformers. Commenting on the criticism at the time, Mr. Hayes wrote: "(1) I fully believed at the time, and subsequent information has confirmed me in the belief, that Louisiana and Florida were both legally and rightfully counted for Hayes and Wheeler, and that the members of the Returning Boards did their duty in the premises. If so, they surely were not disqualified by their action from holding office. The number of persons liable to this objection is grossly exaggerated. Wells and Anderson, of Louisiana, and others were *in office* — no complaints of misconduct; they were simply not dismissed. (2) As to the Cabinet on civil service reform. Other questions, notably the Southern and financial questions, had become paramount when I assumed office. To deal with those questions, the Cabinet was precisely what it should have been. I appeal to results. Even if civil service had been the pressing and vital question, the opposition of more than two thirds of Congress would have prevented its success. The corner-stone for the reform was laid in the great offices in New York in spite of a hostile Congress and hostile party leaders."

last was substantial success on all of the others, and failure on the last was inevitable failure on all the others." [1]

Too great emphasis cannot be laid on the fact that, in all Mr. Hayes's efforts in behalf of civil service reform, he not only had no support from Congress, but had its positive and persistent opposition. He was left to fight the battle alone, without assistance or encouragement from the legislative branch of the Government, with constant misrepresentation of his aims and motives, with much unkind criticism from the more impatient friends of the reform who refused to see the difficulties in his way, and with endless carping and sneers and abuse from the spoilsmen and their satellites. In spite of all this, and after all qualifications for errors of judgment or failures to live up to his ideals are fairly appraised, it can be asserted, with utmost positiveness, that taken as a whole the civil service under Mr. Hayes was made far more efficient and conscientious in doing the work of the Government, was freer from favoritism, and was far less

[1] Diary May 12, 1881. — Near the end of his life (May 15, 1891) Mr. Hayes, recurring to this subject, wrote: —

"I am reminded that when I had a chance to strike strong and continuously in favor of civil service reform, I did not do all that the special friends of the reform hoped I would do. . . . In reply: No doubt there were shortcomings. It must be remembered that 'only one battle can be fought at a time.' Before I reached Washington the situation had vastly changed from what it was when the nominations were made and when the letter of acceptance was written. In July, 1876, the reform was the living issue. In March, 1877, after the close, bitter, disputed election, — after the Southern question was pushed to the front, — the one great need of the country was peace, harmony, reconciliation. My thoughts and efforts were all required, and were all bent, to accomplish that end. Other questions were not neglected, but were to some extent postponed. Very soon the hard times, the dreadful riots of 1877, the financial condition became the burning question. All were anxious on that head. That was the one battle to be gained, or ruin would follow. Few men knew its peril.

"It is simply true that a two-thirds vote in both houses of Congress were ready and anxious to repeal the Resumption Act and to launch the country on the dangerous sea of unlimited and irredeemable paper currency. This could not be prevented merely by a veto. The veto would have been pushed aside by Congress. The only salvation was in Congress and in the committees on finance. Action must be prevented. *It was prevented*, and by the influence of the Administration with unfriendly Senators and Representatives. The history of the *how* has not been written. Very few know it. There was nothing questionable done. The *truth* brought home to a few minds did it.

"But I could not fight both battles at the same time with equal vigor and success. Look at the vote on overruling the veto of the silver bill, and the gravity of the situation on resumption and inflation can be discovered."

involved in politics than it had been since the early years of our national life.[1] The civil service never again sank or could sink to so low a level, in tone, in efficiency, in public repute, in pernicious partisan activity as characterized it in the closing years of General Grant's Administration. Only by comparing conditions as Mr. Hayes left them with the conditions he found, alike in the government offices and in the sentiments and expectations of the public mind, can one fairly estimate how much had really been accomplished both in actual achievement and in preparing the way for the measure of secure and permanent reform that has slowly been attained.

[1] No man of the period followed Mr. Hayes's efforts in behalf of reform more closely or with greater sympathy than George William Curtis, one of the earliest, sincerest, and most intelligent advocates of reform; and no man was juster in appreciating the difficulties that had to be met, or was prompter in criticizing Mr. Hayes's lapses in applying the principles. His final judgment of Mr. Hayes's achievement is therefore of special significance. In *Harper's Weekly*, February 26, 1881, he says: —

"We think that Mr. Hayes has done more for a reform of the civil service upon sound principles than any President in our history. We also think as we have often said, that he has done much that is flagrantly inconsistent with such principles, and that he made a disastrous mistake in not enforcing his executive order of June, 1877. . . . But despite every failure and inconsistency, we are far from supposing the President to be insincere, or from admitting that what he has not done, or has done wrongly, has neutralized the real service that he has effected. That service consists in introducing in the two chief offices of their kind in the country, the New York Custom-House and the New York Post-Office, a system of appointment by proved merit and without personal favor or influence, and in sustaining the system for nearly two years against the most contemptuous and rancorous and insidious hostility. . . . The great service of President Hayes to reform is to have shown that it is perfectly practicable."

CHAPTER XXX

RESUMPTION OF SPECIE PAYMENTS

NO less important than the pacification of the South or the reform of the civil service was the problem presented to the Administration by the condition of the national finances. To the inviolable maintenance of the public faith and to the resumption of specie payments on the date fixed by the law of 1875, Mr. Hayes was committed alike by his conscientious beliefs and by his convictions of duty. In all his public utterances, however much other leaders of his party might be affected by popular financial delusions, he had persistently preached the sound-money faith, and had stood unyieldingly against any suggestion of inflation and every device that threatened the absolute fidelity of the nation in meeting its obligations to its creditors. It was his success in defending the sound-money cause in the Ohio campaign of 1875 that attracted to him the attention of the country and made him the candidate in 1876. His letter of acceptance and his inaugural address only reiterated the views on finance that he had long been known to entertain — that he had expressed with such vigor in his letter of March 4, 1876, to General Garfield, when Congress was seeking to repeal or to weaken the Resumption Law. "I would consent to no backward steps," he wrote then. "To yield or compromise is weakness and will destroy us. If a better resumption measure can be substituted for the present one, that may do. But keep cool. We can better afford to be beaten in Congress than to back out." [1]

It was in this spirit that Mr. Hayes faced the financial problem. So far as he was concerned, and so far as he could control the course of events, there was to be no backward step. As regarded resumption, Mr. Sherman was in full accord and sympathy with the President. He was the author of the Resumption Act, and he began at once to take measures to exercise the

[1] For full letter see chapter XXIII.

authority it gave the Secretary of the Treasury to make it effective. Favorable arrangements for the sale of four per cent bonds[1] were made with a syndicate of New York and London bankers, the bulk of the proceeds of which was used to retire six per cent bonds, but a portion of which was retained in the treasury to create a gold reserve against the day of resumption of specie payments.[2] These operations were carried on successfully in spite of the continuance of hard times which had prevailed since the panic of 1873. It was estimated in the public prints of the day, doubtless with some exaggeration, that three million men were idle throughout the country.

In midsummer reduction of wages led to strikes of trainmen on all the great trunk lines between the seaboard and the Mississippi Valley. In many cities, notably Pittsburg, serious riots, attended with bloodshed, rapine, and arson, occurred, and the President, at the request of the Governors of several States, promptly sent federal troops to the scenes of disorder where the militia had been unable to maintain the peace. Wherever the regulars appeared order was quickly restored, in every instance without shedding blood. But the strikes and the riots, symptomatic as they were of wide popular unrest, made capital timid and for months there was no further sale of bonds.

Continued demands for the repeal of the Resumption Act, on the ground that its enforcement would necessarily result in the contraction of the currency, and persistent agitation in favor of the remonetization of silver, at the old ratio,[3] were likewise alarming the conservative influences of the country. All through the prolonged first session of the Forty-fourth Congress, effort after effort had unsuccessfully been made to emasculate the Resumption Law and more than one attempt was made to remonetize silver. In its second session the disputed election

[1] Under an existing contract made by Mr. Sherman's predecessor, Lot M. Morrill, with the same syndicate, $135,000,000 of four and one half per cent refunding bonds was sold between March 1 and July 1, 1877, and an equal amount of six per cent bonds was retired, thus reducing the annual interest charge $2,025,000.

[2] The syndicate was required to offer the bonds for thirty days for popular subscriptions. The offer was made July 1, and within thirty days $67,000,000 was subscribed for in this country and $10,200,000 in Europe.

[3] Now become attractive to the advocates of cheap money because of the decreased value of silver.

absorbed practically the whole attention of Congress and the country, though the House early in the session passed the Bland Free Coinage Bill by a vote of 167 to 53. And now, in the stagnation of business and industry, the people, especially of the West and South, where capital was less abundant, — fallaciously identifying currency with capital, — were clamoring for more money, and were ready to resort to any expedient that promised relief. The Legislature of Illinois had actually passed a bill making silver coins a legal tender at their face value.[1] The Democratic state conventions, held in the summer of 1877, demanded both the repeal of the Resumption Act and the free coinage of silver. The Greenback Conventions, of course, did likewise, and repeated all their heretical monetary doctrines. The Republican state conventions of the West, while sustaining the Resumption Law, declared in favor of the restoration of silver to its former status.[2] Even Ohio and Pennsylvania Republicans were convinced that this was the true policy.

Journals of all parties, away from the conservative Eastern cities, echoed the popular clamor for silver. The wonders sure to be wrought by the free coinage of silver, in reviving industry and restoring prosperity, were painted by orator and editor in iridescent colors. They were quite sincere in their advocacy, and scorned the notion that there could be the least dishonesty or sharp practice in using silver at the historic ratio to pay the Government's coin obligations. The suggestion that the silver dollar was a dishonest dollar was met with the assertion that gold had appreciated, and that to make the gold dollar the standard measure of value was to rob the debtor class for the benefit of the creditor class, who were constantly represented as heartless and rapacious. Did not the Act of July 14, 1870, under which the refunding of the national debt was proceeding, provide for payment "in coin of the present standard value"? Was not the silver dollar at that time the actual unit of value? Admit,

[1] This was vetoed, of course, by Governor Cullom.

[2] The declaration of the Iowa Republicans is typical: "That the silver dollar having been the legal unit of value from the foundation of the Federal Government until 1873, the law under which its coinage was suspended should be repealed at the earliest possible day, and silver made, with gold, a legal tender for the payment of all debts both public and private." (*Annual Cyclopædia*, 1877.)

indeed, that silver had depreciated now. Did that affect in the least the Government's absolute right to exercise the option afforded by its contract with its creditors to pay them in either kind of the coins that then were legally in existence? Of course, this reasoning tacitly ignored the simple, undisputed fact that, in reality, for a generation, gold had been the sole coin standard of the United States, and that when the law of July, 1870, was passed no Congressman and no citizen had any thought that coin, as used in the law, meant anything but gold.

Thus, when Congress met in special session October 15, 1877, Democratic public opinion was virtually unanimous in favor of the repeal of the Resumption Act, and the predominant opinion of all parties demanded the remonetization of silver. Almost immediately (November 5), Mr. Bland, of Missouri, introduced in the House the Free Silver Bill which he had vainly sought to have adopted at the two previous sessions of Congress. Under suspension of the rules, which precluded any amendment or discussion, this bill, affecting every pecuniary relation of the American people and threatening the public credit, was instantly passed by an overwhelming vote. A fortnight later, Mr. Allison reported the bill in the Senate, with amendments, and it was placed on the calendar. At the same time the House voted to repeal the Resumption Act.[1]

This decided drift of opinion against sound financial principles led the President, in his first annual message, to make a plain and earnest presentation of his views touching alike the urgent necessity of a return to specie payments and the wrongfulness and impolicy of a debased silver coinage. He said: —

> Upon a most anxious and deliberate examination which I have felt it my duty to give to the subject, I am but the more confirmed in the opinion, which I expressed in accepting the nomination for the Presidency and again upon my inauguration, that the policy of resumption should be pursued by every suitable means, and that no legislation would be wise that should disparage the importance or retard the attainment of that result. I have no disposition, and certainly no right, to question the sincerity or the intelligence of opposing opinions, and would neither conceal nor undervalue the considerable difficulties, and even occasional distresses, which may attend the progress of the nation

[1] Twenty-seven Republicans, mostly Western men, voted for the repeal bill, and about the same number of Eastern Democrats against it.

toward this primary condition to its general and permanent prosperity. I must, however, adhere to my most earnest conviction that any wavering in purpose or unsteadiness in methods, so far from avoiding or reducing the inconvenience inseparable from the transition from an irredeemable to a redeemable paper currency, would only tend to increased and prolonged disturbance in values, and, unless retrieved, must end in serious disorder, dishonor, and disaster in the financial affairs of the Government and of the people. The mischiefs which I apprehend, and urgently deprecate, are confined to no class of the people, indeed, but seem to me most certainly to threaten the industrious masses, whether their occupations are of skilled or common labor. To them, it seems to me, it is of prime importance that their labor should be compensated in money which is itself fixed in exchangeable value by being irrevocably measured by the labor necessary to its production. This permanent quality of the money of the people is sought for, and can only be gained, by the resumption of specie payments. The rich, the speculative, the operating, the money-dealing classes may not always feel the mischiefs of, or may find casual profits in, a variable currency, but the misfortunes of such a currency to those who are paid salaries or wages are inevitable and remediless.

Closely connected with this general subject of the resumption of specie payments is one of subordinate but still of grave importance — I mean the readjustment of our coinage system, by the renewal of the silver dollar, as an element in our specie currency, endowed by legislation with the quality of legal tender to a greater or less extent.

As there is no doubt of the power of Congress, under the Constitution, "to coin money and regulate the value thereof," and as this power covers the whole range of authority applicable to the metal, the rated value, and the legal-tender quality which shall be adopted for the coinage, the considerations which should induce or discourage a particular measure connected with the coinage belong clearly to the province of legislative discretion and of public expediency. Without intruding upon this province of legislation in the least, I have yet thought the subject of such critical importance in the actual condition of our affairs as to present an occasion for the exercise of the duty imposed by the Constitution on the President, of recommending to the consideration of Congress "such measures as he shall judge necessary and expedient."

Holding the opinion, as I do, that neither the interests of the Government nor of the people of the United States would be promoted by disparaging silver as one of the two precious metals which furnish the coinage of the world, and that legislation which looks to maintaining the volume of intrinsic money to as full a measure of both metals as their relative commercial values will permit, would be neither unjust nor inexpedient, I must ask your indulgence to a brief and definite statement of certain essential features in any such legislative measure which I feel it my duty to recommend.

I do not propose to enter the debate, represented on both sides by

such able disputants in Congress and before the people and in the press, as to the extent to which the legislation of any one nation can control this question, even within its own borders, against the unwritten laws of trade or the positive laws of other Governments. The wisdom of Congress, in shaping any particular law that may be presented for my approval, may wholly supersede the necessity of my entering into these considerations, and I willingly avoid either vague or intricate inquiries. It is only certain plain and practical traits of such legislation that I desire to recommend to your attention.

In any legislation providing for a silver coinage, regulating its value and imparting to it the quality of legal tender, it seems to me of great importance that Congress should not lose sight of its action as operating in a twofold capacity and in two distinct directions. If the United States Government were free from a public debt, its legislative dealing with the question of silver coinage would be purely sovereign and governmental, under no restraints but those of constitutional power and the public good as affected by the proposed legislation. But, in the actual circumstances of the nation, with a vast public debt distributed very widely among our own citizens, and held in great amounts also abroad, the nature of the silver-coinage measure, as affecting this relation of the Government to the holders of the public debt, becomes an element, in any proposed legislation, of the highest concern. The obligation of the public faith transcends all questions of profit or public advantage otherwise. Its unquestionable maintenance is the dictate as well of the highest expediency, as of the most necessary duty, and will ever be carefully guarded by Congress and people alike.

The public debt of the United States, to the amount of $729,000,000, bears interest at the rate of six per cent, and $708,000,000 at the rate of five per cent, and the only way in which the country can be relieved from the payment of these high rates of interest is by advantageously refunding the indebtedness. Whether the debt is ultimately paid in gold or in silver coin is of but little moment compared with the possible reduction of interest one third, by refunding it at such reduced rate. If the United States had the unquestioned right to pay its bonds in silver coin, the little benefit from that process would be greatly overbalanced by the injurious effect of such payment, if made or proposed against the honest convictions of the public creditors. All the bonds that have been issued since February 12, 1873, when gold became the only unlimited legal-tender metallic currency of the country, are justly payable in gold coin or in coin of equal value. During the time of these issues, the only dollar that could be or was received by the Government in exchange for bonds was the gold dollar. To require the public creditors to take, in repayment, any dollar of less commercial value, would be regarded by them as a repudiation of the full obligation assumed. The bonds issued prior to 1873 were issued at a time when the gold dollar was the only coin in circulation or contemplated by either the Government or the holders of the bonds as the coin in which they were to be paid. It is far

better to pay these bonds in that coin than to seem to take advantage of the unforeseen fall in silver bullion to pay in a new issue of silver coin, thus made so much less valuable. The power of the United States to coin money and to regulate the value thereof ought never to be exercised for the purpose of enabling the Government to pay its obligations in a coin of less value than that contemplated by the parties when the bonds were issued. Any attempt to pay the national indebtedness in a coinage of less commercial value than the money of the world would involve a violation of the public faith and work irreparable injury to the public credit.

It was the great merit of the Act of March, 1869, in strengthening the public credit, that it removed all doubt as to the purpose of the United States to pay their bonded debt in coin. That act was accepted as a pledge of public faith. The Government has derived great benefit from it in the progress thus far made in refunding the public debt at low rates of interest. An adherence to the wise and just policy of an exact observance of the public faith will enable the Government rapidly to reduce the burden of interest on the national debt to an amount exceeding $20,000,000 per annum, and effect an aggregate saving to the United States of more than $300,000,000 before the bonds can be fully paid.

In adapting the new silver coinage to the ordinary uses of currency in the everyday transactions of life and prescribing the quality of legal tender to be assigned to it, a consideration of the first importance should be so to adjust the ratio between the silver and the gold coinage, which now constitutes our specie currency, as to accomplish the desired end of maintaining the circulation of the two metallic currencies, and keeping up the volume of the two precious metals as our intrinsic money. It is a mixed question for scientific reasoning and historical experience to determine how far, and by what methods, a practical equilibrium can be maintained which will keep both metals in circulation in their appropriate spheres of common use. An absolute equality of commercial value, free from disturbing fluctuations, is hardly attainable, and without it an unlimited legal tender for private transactions assigned to both metals would irresistibly tend to drive out of circulation the dearer coinage, and disappoint the principal object proposed by the legislation in view. I apprehend, therefore, that the two conditions of a near approach to equality of commercial value between the gold and silver coinage of the same denomination, and of a limitation of the amounts for which the silver coinage is to be a legal tender, are essential to maintaining both in circulation. If these conditions can be successfully observed, the issue from the mint of silver dollars would afford material assistance to the community in the transition to redeemable paper money, and would facilitate the resumption of specie payment and its permanent establishment. Without these conditions, I fear that only mischief and misfortune would flow from a coinage of silver dollars with the quality of unlimited legal tender, even in private transactions.

Any expectation of temporary ease from an issue of silver coinage to

pass as a legal tender, at a rate materially above its commercial value, is, I am persuaded, a delusion. Nor can I think that there is any substantial distinction between an original issue of silver dollars at a nominal value materially above their commercial value, and the restoration of the silver dollar at a rate which once was, but has ceased to be, its commercial value. Certainly the issue of our gold coinage, reduced in weight materially below its legal-tender value, would not be any the less a present debasement of the coinage by reason of its equalling or even exceeding in weight a gold coinage which at some past time had been commercially equal to the legal-tender value assigned to the new issue.

In recommending that the regulation of any silver coinage which may be authorized by Congress should observe these conditions of commercial value and limited legal tender, I am governed by the feeling that every possible increase should be given to the volume of metallic money which can be kept in circulation, and thereby every possible aid afforded to the people in the process of resuming specie payments. It is because of my firm conviction that a disregard of these conditions would frustrate the good results which are desired from the proposed coinage, and embarrass with new elements of confusion and uncertainty the business of the country, that I urge upon your attention these considerations.

I respectfully recommend to Congress that in any legislation providing for a silver coinage, and imparting to it the quality of legal tender, there be impressed upon the measure a firm provision exempting the public debt, heretofore issued and now outstanding, from payment, either of principal or interest, in any coinage of less commercial value than the present gold coinage of the country.

But the impressive words of the President, reënforced though they were by the cogent reasoning of Secretary Sherman in his report at the same time to Congress, fell upon deaf ears, hardly serving even to check the progress of the silver movement. The agitation for silver throughout the country, indeed, gained new impetus. The papers were full of the subject, and mass meetings were held which applauded passionate speeches and adopted impulsive resolutions denouncing the greed of the bondholders and demanding the restoration of the people's silver birthright of which, as it was stridently and persistently asserted, they had feloniously been deprived. Such a meeting in Chicago, typical of many others, on December 13, was attended numerously by representative men of all classes and professions. It was presided over by Judge Lawrence, who had been chairman of the Louisiana Commission. He declared that the restoration of silver to legal-tender quality "would certainly turn the tide of affairs and open the way to returning prosperity." "It would

give new life to our stricken industries and add to the market value of our property." The excited resolutions adopted expressed "alarm" at the position taken by the President in his message on the silver question, and demanded "that the silver dollar be restored to its full legal-tender quality in payment of all debts public and private, and we will be satisfied with nothing short of this." Judge Booth, chairman of the resolutions committee, said: —

> The purpose of these resolutions is to give utterance to the collective voice of the people so that it may be heard, aye, and heeded, too, by the powers that be at Washington. We would in this matter arouse the slumbering consciousness of the President and his advisers to some apprehension of the fact that there is a thunderstorm brewing in the West, and that, unless they have a care, somebody is likely to be hit by the lightning of public wrath and indignation, unless they concede the just demands of the people.[1]

In the Senate the Bland-Allison Bill was made the occasion for an exhaustive debate which the President followed with close attention, remaining, however, unaffected by the arguments of the silver advocates. February 3, he writes in his diary: —

> It is now almost a certainty that the Silver Bill will pass in such shape that I must withhold my signature. I am not so opposed to silver coinage that I would veto a bill which guarded the rights of creditors, and operated only *in futuro*. But I cannot consent to a measure which stains our credit. We must keep that untainted. We are a debtor nation. Low rates of interest on the vast indebtedness we must carry for many years is the important end to be kept in view. Expediency and justice both demand honest coinage.

Three days later he continues: —

> The measure will contract the coin currency of the country by expelling gold, which will not remain in the presence of the depreciated silver.

Finally, on February 15, the Senate passed the bill, modified by additional amendments. The bill as adopted was divested of the free-coinage feature. It restored the silver dollar, at the old ratio of sixteen to one, to the coinage, and made it a legal tender for all obligations public or private, "except where otherwise expressly stipulated in the contract"; required the coining of not less than two million nor more than four million dollars' worth of silver monthly on government account; authorized

[1] Chicago *Tribune*, December 14, 1877.

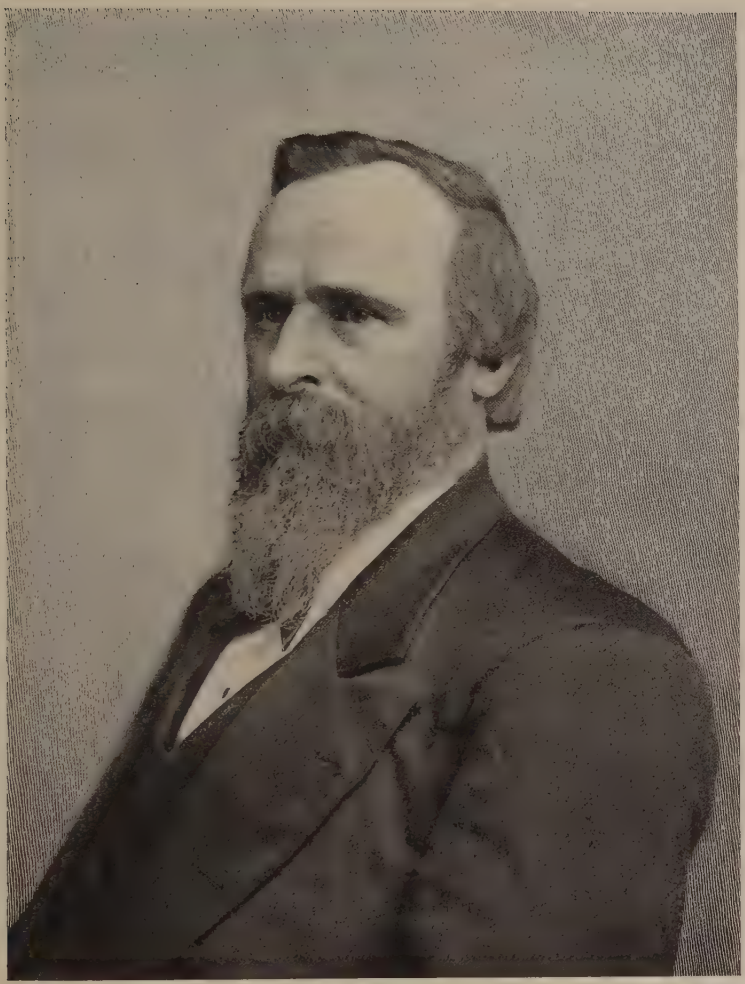
the issuance of silver certificates against coin deposited in the Treasury; and directed the President to invite the Governments of the Latin Union countries and other European nations to join in a conference with the United States with a view to adopting a common ratio between gold and silver, so as to establish international bimetallism. The House promptly accepted the Senate amendments, though the extreme "friends of silver" saw in them a perversion of the Bland Bill "from its original beneficent purpose and effect." Secretary Sherman thought the bill in its perfected form would not be dangerous to the finances of the country nor detrimental to its credit, believing that the limited amount of silver dollars that would be brought into the currency could be kept at par with gold; and he was doubtful of the wisdom of a veto.[1] Moreover, considerations of policy could be urged to justify approval of the bill. The measure had commanded the votes of a majority of the members of both parties. It was practically certain that a veto would have no effect. To sign the bill would please its advocates, especially among the Republican members, and might ease the friction between them and the President. And besides all this, the measure was immensely popular with the great masses of the people of all parties; and why needlessly affront them by interposing a veto that was sure to be overridden? Mr. Hayes, however, was firmly convinced that the bill was essentially wrong, that "it was not nor it could not come to good." This is clearly indicated by the following entry in the diary on February 17: —

[1] "I did not agree with the President in his veto of the bill, for the radical changes made in its terms in the Senate had greatly changed its effect and tenor. The provisions authorizing the Secretary of the Treasury to purchase not less than two million dollars' worth of silver bullion per month, at market price, and to coin it into dollars, placed the silver dollars upon the same basis as the subsidiary coins, except that the dollar contained a greater number of grains of silver than a dollar of the subsidiary coins, and was a legal tender for all debts without limit as to amount. The provision that the gain or seigniorage arising from the coinage should be accounted for and paid into the Treasury, as under the existing laws relative to subsidiary coinage, seemed to remove all serious objections to the measure. In view of the strong public sentiment in favor of the free coinage of the silver dollar, I thought it better to make no objections to the passage of the bill, but I did not care to antagonize the wishes of the President. He honestly believed that it would greatly disturb the public credit to make a legal tender for all amounts of a dollar, the bullion in which was not of equal commercial value to the gold dollar." (*Sherman's Recollections*, chapter XXXII.)

The Silver Bill has passed the Senate with amendments that will send it back to the House. It will no doubt reach me during this week. I have given the subject some study and much anxious reflection. I shall veto the bill. It will probably become a law notwithstanding my veto. In my message I ought to give a brief summary of the objections to it, and probably I ought to indicate what sort of a silver bill might receive my approval (?); but that is a question for consideration. I feel the importance and responsibility of my action. But I have no misgiving. The nation must not have a stain on its honor. Its credit must not be tainted. This is the first, and great objection: It is a violation of the national faith.

Feeling in this way, no considerations of policy, no assurance of popular approval, and no persuasions of party leaders and friends [1] whom he trusted and admired could have any weight

[1] Murat Halstead, editor of the Cincinnati *Commercial*, wrote him November 21, 1877: "If according to the dispatches of the day you should veto the silver Bill [providing as it stood then for free coinage], the mistake would be the greatest possible to commit. On the side of silver are the laws, the morals, and the interests of the nation." And after the bill was in the President's hands, Joseph Medill, editor of the Chicago *Tribune*, who was in Washington, earnestly sought, by personal appeal and written arguments, to induce the President to approve the bill. February 25 he wrote a long defense of the bill, ending with these words: "If a veto is *sustained* the country will be convulsed with excitement and indignation, and wild, desperate men will get control of popular feeling and make mischief. Ultra measures will be forced through Congress, and repeal of the Resumption Act will be attached to vital appropriation bills. Vast and incalculable injuries may result from thwarting [the] popular will on the Silver Bill." Two days later, he wrote: "The Refunding Act of July, 1870, declares in practical effect that the Government will pay the five, four and one-half, and four per cent bonds, principal and interest, in so many ounces of silver or gold *at its option* (one thousand ounces of silver for a thousand-dollar bond, or sixty-three ounces of gold). The Government never undertook to guarantee that the purchasing power of a pound of silver should always continue equal to that of an ounce of gold; nor that it should always be able to purchase an ounce of gold in the London market; nor that its purchasing power in commodities should never change. Nor did the Government guarantee that Germany should not demonetize her silver and adopt the monometallic system. Nor did it undertake to defend against the effect of such act on the relative values of silver and gold. The Government cannot be held responsible for any of those contingencies. Congress simply ordered bonds to be offered for sale and pledged the faith of the nation to repay each (omitting fractions) in one thousand ounces of silver, or sixty-three ounces of gold, at its option — the said silver and gold to be legal-tender coin. That is the contract naked and simple, stripped of technicalities and refinements. And the American people are not educated up to any higher standard of morality than to pay their debts according to contract. Now, mark my prediction. 1. Silver bullion will be worth not less than ninety-four cents within thirty days after the Silver Bill goes into effect. It will rise thereafter about one per cent a month under the force of the steady and prospective



PRESIDENT HAYES

From a photograph by Landy in 1877

with him. He immediately prepared a veto message which he submitted to the deliberation of the Cabinet. The diary, February 26, has this record: —

To-day at Cabinet meeting we considered the Silver Bill passed last week. I had prepared a veto message, and read it to the Cabinet. Colonel Thompson opposed a veto. He said he was an old Whig and believed the old Whig doctrine was sound. He thought there should be no veto on grounds of expediency or policy. There must be a violation of the Constitution, or haste, or mistake. Here was a measure long discussed — the people almost unanimously for it — two thirds of each House for it — the measure a wise one and demanded very earnestly by the country. I told him the message put the veto wholly on grounds of principle. The faith of the nation was to be violated; the obligation of contracts was impaired by the law. Colonel Thompson replied that there was no provision denying to Congress the right to impair the obligation of contracts; that no obligation was in fact impaired; that contracts were made in view of the right of Congress to alter the legal tender.

Mr. Evarts differed totally from Mr. Thompson as to the right of the President to withhold his assent to measures which he did not approve. The President under the Constitution is part of the lawmaking power. The people have willed that no measure shall become a law unless he approves until Congress a second time acts on the bill and by a two-thirds vote passes it again.

Sherman disliked the condition of things. Belmont, the agent of the Rothschilds, fears the effect of a veto — prefers the bill should be approved, *bad* as he thinks it is. But Sherman sees no other course.

McCrary also fears a veto. Would like it if the bill is to pass over the veto. But if the veto is successful in killing the bill, he regards with great apprehension the result. The Democrats, with their worst elements in advance, will come into power.

Judge Key does not see how, with the known principles of the Administration, anything else can be done than to refuse assent to the bill.

Judge Devens regards a veto as on all accounts the true course.

General Schurz thinks a veto, if successful, will save the country from an immoral and dangerous measure, and if not successful the consequences will be less damaging than the effect of concurrence.

coinage demand until it approaches par of gold. 2. Silver legal-tender dollars will start off at not less than 99¾ in gold and will not sink below 99 at any time during the next four to eight years, but will really circulate at 99¾ to par all the time, until they rise above par, which may be within two or three years on account of being worth intrinsically three per cent more than Latin Union legal-tender silver coins. There never was 'a 91-cent' legal-tender silver 'dollar' in any bimetallic country. Such a coin is a myth of the Wall Street brain."

Even Mrs. Medill wrote Mrs. Hayes begging her to use her influence with the President to persuade him to sign the bill.

For a veto, decidedly: Evarts, Key, Schurz, Devens, — four. For a veto, with some doubts: Sherman and McCrary — two. Opposed to a veto, Thompson.

Two days later the President sent his veto message to Congress. It was as follows: —

To the House of Representatives: —

After a very careful consideration of the House Bill No. 1093, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," I feel compelled to return it to the House of Representatives, in which it originated, with my objections to its passage.

Holding the opinion, which I expressed in my annual message, that "neither the interests of the Government nor of the people of the United States would be promoted by disparaging silver as one of the two precious metals which furnish the coinage of the world, and that legislation which looks to maintaining the volume of intrinsic money to as full a measure of both metals as their relative commercial values will permit would be neither unjust nor inexpedient," it has been my earnest desire to concur with Congress in the adoption of such measures to increase the silver coinage of the country as would not impair the obligation of contracts, either public or private, nor injuriously affect the public credit. It is only upon the conviction that this bill does not meet these essential requirements that I feel it my duty to withhold from it my approval.

My present official duty as to this bill permits only an attention to the specific objections to its passage which seem to me so important as to justify me in asking from the wisdom and duty of Congress that further consideration of the bill for which the Constitution has, in such cases, provided.

The bill provides for the coinage of silver dollars of the weight of $412\frac{1}{2}$ grains each, of standard silver, to be a legal tender at their nominal value for all debts and dues, public and private, except where otherwise expressly stipulated in the contract. It is well known that the market value of that number of grains of standard silver during the past year has been from ninety to ninety-two cents as compared with the standard gold dollar. Thus the silver dollar authorized by this bill is worth eight to ten per cent less than it purports to be worth, and is made a legal tender for debts contracted when the law did not recognize such coins as lawful money.

The right to pay duties in silver or certificates for silver deposits will, when they are issued in sufficient amount to circulate, put an end to the receipt of revenue in gold, and thus compel the payment of silver for both the principal and interest of the public debt. Eleven hundred and forty-three million, four hundred and ninety-three thousand, four hundred dollars of the bonded debt, now outstanding, was issued prior to

February, 1873, when the silver dollar was unknown in circulation in this country, and was only a convenient form of silver bullion for exportation; $583,440,350 of the funded debt has been issued since February, 1873, when gold alone was the coin for which the bonds were sold, and gold alone was the coin in which both parties to the contract understood that the bonds would be paid. These bonds entered into the markets of the world. They were paid for in gold when silver had greatly depreciated, and when no one would have bought them if it had been understood that they would be paid in silver. The sum of $225,000,000 of these bonds has been sold during my Administration for gold coin, and the United States received the benefit of these sales by a reduction of the rate of interest to four and four and one half per cent. During the progress of these sales a doubt was suggested as to the coin in which payment of these bonds would be made. The public announcement was thereupon authorized that it was "not to be anticipated that any future legislation of Congress, or any action of any Department of the Government, would sanction or tolerate the redemption of the principal of these bonds, or the payment of the interest thereon, in coin of less value than the coin authorized by law at the time of the issue of the bonds, being the coin exacted by the Government in exchange for the same."

In view of these facts, it will be justly regarded as a grave breach of the public faith to undertake to pay these bonds, principal or interest, in silver coin worth in the market less than the coin received for them. It is said that the silver dollar made a legal tender by this bill will, under its operation, be equivalent in value to the gold dollar. Many supporters of the bill believe this, and would not justify an attempt to pay debts, either public or private, in coin of inferior value to the money of the world. The capital defect of the bill is that it contains no provision protecting from its operation preëxisting debts in case the coinage which it creates shall continue to be of less value than that which was the sole legal tender when they were contracted. If it is now proposed, for the purpose of taking advantage of the depreciation of silver in the payment of debts, to coin and make a legal tender a silver dollar of less commercial value than any dollar, whether of gold or paper, which is now lawful money in this country, such measure, it will hardly be questioned, will, in the judgment of mankind, be an act of bad faith. As to all debts heretofore contracted, the silver dollar should be made a legal tender only at its market value. The standard of value should not be changed without the consent of both parties to the contract. National promises should be kept with unflinching fidelity. There is no power to compel a nation to pay its just debts. Its credit depends on its honor. The nation owes what it has led or allowed its creditors to expect. I cannot approve a bill which in my judgment authorizes the violation of sacred obligations. The obligation of the public faith transcends all questions of profit or public advantage. Its unquestionable maintenance is the dictate as well of the highest expediency as of the most

necessary duty, and should ever be carefully guarded by the Executive, by Congress, and by the people.

It is my firm conviction that, if the country is to be benefited by a silver coinage, it can be done only by the issue of silver dollars of full value, which will defraud no man. A currency worth less than it purports to be worth will in the end defraud not only creditors, but all who are engaged in legitimate business, and none more surely than those who are dependent on their daily labor for their daily bread.

R. B. Hayes.

Executive Mansion, February 28, 1878.[1]

The bill was immediately passed over the veto and became a law. And thus the undervalued silver dollar, source of unnumbered political and financial woes, was brought into our monetary system. Probably no political economist or student of finance, whose opinion would now command wide respect, could be named who does not believe that President Hayes was

[1] "I sent in my message against the Silver Bill yesterday. The message was short and I hope forcible. My objection to the bill is that it authorizes what I think is dishonest. I trust that in fact no actual dishonesty will be permitted under it.

"A year ago to-day we left Columbus to come to Washington. The year, if I think of the scenes through which I have passed, seems an age. If I recall the farewell at Columbus, the throng at the State House, the procession to the depot, the speech and farewell there, the lapse of time is but a day. I have tried to do my duty. The crowd of business, the urgent misrepresentations poured into my ears by men who ought to be trustworthy, have led to mistakes, serious mistakes, mainly in appointments, but the general course has been right. I have been firm and self-possessed on the most difficult and trying occasions. I am not liked as a President by the politicians in office, in the press, or in Congress. But I am content to abide the judgment — the sober second thought — of the people." (Diary, March 1, 1878.)

Apropos of the second paragraph just given, compare what George William Curtis says in a review of the first year of the Administration in *Harper's Weekly*, March 23, 1878: —

"Some most excellent results have been accomplished. In accordance with his letter and his inaugural he has made fewer changes in minor offices than any new President since John Quincy Adams. He has declined congressional dictation in nominations, and has asserted a just executive independence. But the present party system made this result inevitable for any President who did not peddle his patronage in the usual way. The shock to the system has also turned against him a large part of the party press and the 'working politicians.' But despite all this, and despite all that is justly censurable in the details of the action of the Administration, there is no doubt that its general purpose and tendency have a more general support in all parts of the country and among the most intelligent and patriotic citizens than any recent Administration has received. . . . Outside of the strictly 'politician' class Republican feeling for the President is still warm and generous."

right in his veto, and who is not convinced that it would have been far better for the country had Congress accepted his judgment. In the confusion of financial ideas of the time, which was by no means confined to our country, with men of distinction and journals of character plausibly arguing the possibility and the necessity of bimetallism and the power of governmental action to fix and maintain the ratio between gold and silver, the prevalence of the popular demand for silver — rising in many minds, indeed, to a passionate and unreasoning sentiment — cannot excite surprise.[1] The majority in Congress shared the feeling of their constituents and correctly reflected their desires. It was simply inevitable, in view of all the conditions and sentiments of the period, that the country should try the silver experiment and learn by bitter experience that the natural laws which determine the ratio of exchange, even of the precious metals, cannot be repealed by statutory enactment. The President, however, who did see clear and think straight, did his duty in uttering words of truth and soberness in warning Congress and the country of the perilous path on which they were precipitately entering.

The law was of course loyally enforced, the Treasury Department beginning immediately to purchase monthly the minimum amount of silver (two million dollars' worth) required by the law and coining it into dollars, which were stored in the treasury vaults.[2] For the time being, and for a considerable period,

[1] George Walker, a believer in bimetallism and an opponent of free coinage by the United States as likely to retard the "cause," wrote in the New York *Tribune* of November 7, 1877: "There is an undoubted silver majority among the people — probably a large majority; and the attitude assumed by the gold party, since the debate upon the question has become general, has been admirably calculated to make it larger and more unreasoning than it would have been with a fairer treatment. The cry of the 'Dollar of the Daddies' has not been a fortunate one for those who reiterated it. The case is far too serious for ridicule, and the popular belief that it is one in which the interests of the rich are arrayed against those of the poor, required the most considerate and respectful treatment, if any hope was entertained of making it give place to a more intelligent sentiment."

[2] The international conference provided for in the second section of the law met in Paris in August. Eleven countries accepted the invitation of the President to send delegates. The President appointed for the United States, ex-Senator Fenton (New York), W. S. Groesbeck (Ohio), and Francis A. Walker (Massachusetts), with S. Dana Horton as secretary. There was earnest discussion and the presentation of endless data, but no agreement. The conference had no

the evils that were sure to follow did not appear, and the apprehensions of the financial world were allayed. On sober second thought, now that free coinage of silver was defeated, even though Congress had adopted Senator Matthews's concurrent resolution declaring that the bonds of the United States were payable in silver dollars and that such payment was not a violation of the public faith, conservative bankers and investors both at home and abroad settled back to the conviction that, whatever unsound financial doctrines might be proclaimed or menacing experiments tried, the United States, after all, would never, by any indirection or plea of technical right, fail to fulfil its strict obligations to its creditors. Secretary Sherman, therefore, found it possible to resume his refunding operations by the disposal of four per cent bonds and to continue to add to his gold reserve. Signs of returning prosperity and a more hopeful spirit in the business world made easier his task. In April he was able to sell to the old syndicate $50,000,000 of four and one half per cent bonds at a premium of one and one half per cent, $10,000,000 to be taken at once and $5,000,000 monthly thereafter, for gold, all of which was to be placed in the reserve for resumption purposes. The success of this brilliant achievement, all the details of which were published at the time and widely commented on, dissipated any lingering doubt, in the minds of most sensible people, that, in the absence of adverse legislation by Congress, resumption of specie payments was assured on the date prescribed by the law. Indeed, it was practically operative already, as the premium on gold was near the vanishing point.[1]

practical result; as did none of the subsequent similar conferences brought about by our Government in seeking to "do something for silver."

[1] "Mr. Sherman has contracted for $50,000,000 gold, and gold yesterday fell to 100½! It now looks as if we should be at specie payments long before the 1st of January, 1879. We have passed through the suffering, let us have the desired end." (Diary, April 13, 1878.)

"Sherman returned from New York last night. His loan has been very successful; $50,000,000 gold before 1879 at 101½ for his four and one half per cent bonds. The premium on gold almost gone, or one fourth of one per cent. If we can practically resume before the elections in the fall, it will be a feather in our cap. Now we are hopeful. With reconciliation proceeding well, and resumption secured, as now appears, we are stronger than ever before. Our position on the Silver Bill enabled the Republicans in the Senate to improve the Bland Bill: (1) by striking out free coinage; (2) by the device of silver certificates; (3) by a commission to treat with other nations." (Diary, April 14, 1878.)

Meanwhile the bill, passed by the House in November, repealing the Resumption Act, was still in the hands of the Finance Committee of the Senate, where it was the subject of much discussion.[1] Secretary Sherman appeared before this committee and explained in full detail the condition of the Treasury and the preparations he was making to insure resumption. He appeared for a similar purpose before the House Committee of Banking and Commerce and spent several days in making clear "every phase of the financial condition of the United States and the policy of the Treasury Department in the past and in the future." [2] Mr. Sherman convinced the members of both committees that he had absolute faith in the ability of the Administration to carry out the Resumption Act, and the published reports of his statements had a reassuring effect on the public mind and doubtless contributed to the ease of his subsequent negotiation with the syndicate. At any rate, no further attempt was made to repeal the resumption part of the law.

One excellent provision of the law, however, was not allowed to stand. That was the clause directing the Secretary of the Treasury, as national bank-note circulation increased, gradually to redeem and retire the legal-tender government notes (greenbacks) in excess of $300,000,000. Under the operation of this provision something over $30,000,000 of greenbacks had been cancelled, thus manifestly making resumption by so much easier. Congress, however, viewed with impatience anything that looked like contraction of the currency, and April 29, under suspension of the rules, the House passed a bill forbidding any further retirement of greenbacks.[3] The Senate by a vote of 41 to 18 [4] passed the bill May 28, and May 31 it became a law

[1] The bill was reported in April with a substitute making United States notes receivable in payment for refunding bonds, and after October 1, 1878, for duties on imports, and providing that the volume of such notes in existence on that date should remain in permanent circulation. In June it was amended so as to strike out the last provision (already by that time embodied in a separate law) and passed by a vote of 45 to 15. In the House the attempt to pass the amended bill under suspension of the rules failed.

[2] *Recollections*, chapter XXXII.

[3] The vote was 177 to 35, only 7 Democrats voting in the negative. Among the Republicans voting in the affirmative were Aldrich, Foster, and McKinley.

[4] Among the Republicans that voted in the affirmative were Allison, Blaine, and Windom.

by the President's signature. On that date the amount of greenbacks outstanding was $346,681,016, and at that figure the forced loan of the country has remained ever since, with apparently no disposition or desire on the part of the people to do away with this constant menace to a sound monetary system. A veto might reasonably have been expected from the President in view of his well-known opinions, though it would doubtless have been disregarded by Congress.[1] But, after all, there was no difference in principle between the retention in circulation by the Government of $300,000,000 or of $346,000,000, as long as resumption was assured. So the President followed the advice of Secretary Sherman, in whose judgment of the immediate financial situation he had full confidence.[2] The declarations of state conventions of 1878 of both parties show that the measure was widely popular. The greenback had been so long in use and was so convenient and certain, as compared with the old paper currency of local issue, that the popular mind pretty generally was befuddled, as it continues to be, touching its true nature and proper function.

With resumption practically assured, Democratic state conventions, with singular fatuity, still demanded the repeal of the Resumption Act; and conventions of all parties in the West urged that Congress should not rest content with the Bland-Allison Law, but should give the country free and unrestricted coinage of silver. In the elections in November the Democrats were again successful in gaining a small majority of members of

[1] "A veto by Hayes, in the face of the overwhelming votes in both houses of Congress, would very likely have been overridden. It is obvious that the approval of this act was contrary to his convictions, and that but for Sherman's leanings to the policy of continuing the United States notes as a permanent part of our currency, our financial history might have been altered by a vigorous veto of this reactionary measure." (A. B. Hepburn, *History of Coinage*, etc., chapter x.)

Mr. Sherman never changed his opinion in regard to the greenback currency. In his *Recollections* (chapter xxxix), he says: "I am convinced that United States notes based on coin in the Treasury are the best form of currency yet devised, and that the volume might be gradually increased as the volume of business increases."

[2] "I recommended the passage of this law, as I believed that the retirement of the greenbacks pending the preparation for resumption, by reducing the volume of the currency, really increased the difficulties of resumption." (*Recollections*, chapter xxxiii.)

the House of Representatives and in making certain that they would control the Senate of the Forty-sixth Congress.[1]

Meanwhile the accumulation of the gold reserve in preparation for the day of resumption went steadily on from the monthly sales of the four and one-half per cent bonds and from the excess of revenue over expenditures. When Congress reassembled at the beginning of December, 1878, the President was able to report that during the year $100,000,000 of four per cent refunding bonds had been sold and an equal amount of six per cent bonds redeemed; and Secretary Sherman to announce that the Treasury held $142,000,000 of gold in the resumption fund. In view of the existing financial conditions the President's words to Congress, in his annual message, were: —

> I am persuaded that the welfare of legitimate business and industry of every description will be best promoted by abstaining from all attempts to make radical changes in the existing financial legislation. Let it be understood that during the coming year the business of the country will be undisturbed by governmental interference with the laws affecting it, and we may confidently expect that the resumption of specie payments, which will take place at the appointed time, will be successfully and easily maintained, and that it will be followed by a healthful and enduring revival of business prosperity.
>
> Let the healing influence of time, the inherent energies of our people, and the boundless resources of our country have a fair opportunity, and relief from present difficulties will surely follow.

It is hardly necessary to say that on January 2, 1879 (the 1st falling on Sunday), as the law had directed, the resumption of specie payments, the possibility and propriety of which had been the subject for years of such fierce party contention and acrimonious dispute, became an accomplished fact, without a ripple of excitement in the financial world. It being known that any one could have gold for greenbacks at the subtreasury in New York for the asking, nobody cared for gold. Instead of a run on the subtreasury, which had freely been predicted, only $135,000 of notes was presented for coin on January 2, while $400,000 of gold was exchanged for notes! From that time on, the gold basis

[1] Mr. Hayes wrote in his diary November 6: "The elections of yesterday show very gratifying results. The States of New England are solid for sound principles. . . . Everywhere in the North we are stronger than in any off year since the war, except possibly in 1866 when Johnson was overwhelmed. The South is substantially solid against us. . . ."

of our currency, seriously threatened though it has been on occasion by the silver madness, has steadfastly been maintained. How much the country owes to President Hayes's confident belief in the possibility of resumption under the law of 1875, while so large a proportion of the public men and the financiers of the country were giving way to doubts and fears; how much it owes to his unwavering determination to execute the law, and to the wisdom and energy with which Secretary Sherman enforced that determination, can hardly be overestimated. No one who can recall, or who will now take the trouble to inform himself of the currents of financial opinion that were swaying the minds of men in that period, can reasonably doubt that had the President pursued a hesitating or vacillating course, the Resumption Law would have been repealed or more seriously emasculated, and the investing public would have lacked the stimulus of confidence, which the Administration applied, and which was necessary to insure success. In that event, resumption might indefinitely have been postponed.

The consummation of resumption, the knowledge that every dollar was now a gold dollar, that the circulating medium was no longer to be a fluctuating quantity, whose value, for the day, no one could know without consulting the quotations of the Gold Exchange, inspired the financial and commercial world with an instant access of confidence and hopefulness. Renewed alacrity and energy and enterprise began to be manifest in the business world, and the revival of industry rapidly gained momentum. In the next few months Secretary Sherman was able to refund in four per cent bonds all the outstanding five-twenty six per cent bonds, and, likewise, under a new act of Congress all the ten-forty sixes. In one day in April he had offers for $159,000,000 of the new bonds.[1] Thus, in slightly more than two years,

[1] Bonds in small denominations were offered for popular subscription and for these there was a great demand. May 24, 1879, Mr. Hayes writes in his diary: "A novel spectacle in this city for some days past. The same thing doubtless in all of the large cities. The postmasters, collectors, and subtreasurers have had authority to sell small four per cent bonds — not more than one hundred dollars to the same person, so as widely to distribute them among small investors, among the people of small means. These bonds are now at a premium of two to four per cent. Speculators employ parties to buy for them. Two dollars is made every time one hundred dollars is bought. The poor themselves also rush to get them. The consequence is great crowds of negroes, women, boys, etc.,

MRS. LUCY WEBB HAYES

From a photograph by Sarony in 1877

the Administration had accomplished the "impracticable" task of resumption and had placed the credit of the country on the firmest foundations on which it had ever rested. In his message of December 1, 1879, the President, with pardonable pride, could present this narrative of the Government's financial operations: —

The most interesting events which have occurred in our public affairs since my last annual message to Congress are connected with the financial operations of the Government, directly affecting the business interests of the country. I congratulate Congress on the successful execution of the Resumption Act. At the time fixed, and in the manner contemplated by law, United States notes began to be redeemed in coin. Since the 1st of January last they have been promptly redeemed on presentation, and in all business transactions, public and private, in all parts of the country, they are received and paid out as the equivalent of coin. The demand upon the Treasury for gold and silver in exchange for United States notes has been comparatively small, and the voluntary deposit of coin and bullion in exchange for notes has been very large. The excess of the precious metals deposited or exchanged for United States notes over the amount of United States notes redeemed is about $40,000,000.

The resumption of specie payments has been followed by a very great revival of business. With a currency equivalent in value to the money of the commercial world, we are enabled to enter upon an equal competition with other nations in trade and production. The increasing foreign demand for our manufactures and agricultural products has caused a large balance of trade in our favor, which has been paid in gold, from the 1st of July last to November 15, to the amount of about $59,000,000. Since the resumption of specie payments there has also been a marked and gratifying improvement of the public credit. The bonds of the Government bearing only four per cent interest have been sold at or above par, sufficient in amount to pay off all of the national debt which was redeemable under present laws. The amount of interest saved annually by the process of refunding the debt, since March 1, 1877, is $14,297,177. The bonds sold were largely in small sums, and the number of our citizens now holding the public securities is much greater than ever before. The amount of the national debt which matures within less than two years is $792,121,700, of which $500,000,000 bear interest at the rate of five per cent, and the balance is in bonds bearing six per cent interest. It is believed that this part of the public

etc., gather daily at the Treasury in long procession — each in turn to get his one hundred dollars' worth of bonds. This morning, as early as 7 A.M., the whole open space at the north end of the Treasury was filled with the 'cue' of investors. Some go to sell their places in the cue or procession; and do so at from ten to twenty cents, or more, according to proximity to the selling desk."

debt can be refunded by the issue of four per cent bonds, and, by the reduction of interest which will thus be effected, about eleven millions of dollars can be annually saved to the Treasury. To secure this important reduction of interest to be paid by the United States, further legislation is required, which, it is hoped, will be provided by Congress during its present session.

The coinage of gold by the mints of the United States during the last fiscal year was $40,986,912. The coinage of silver dollars, since the passage of the act for that purpose up to November 1, 1879, was $45,000,850, of which $12,700,344 have been issued from the Treasury, and are now in circulation, and $32,300,506 are still in the possession of the Government.

The pendency of the proposition for unity of action between the United States and the principal commercial nations of Europe, to effect a permanent system for the equality of gold and silver in the recognized money of the world, leads me to recommend that Congress refrain from new legislation on the general subject. The great revival of trade, internal and foreign, will supply during the coming year its own instructions, which may well be awaited before attempting further experimental measures with the coinage. I would, however, strongly urge upon Congress the importance of authorizing the Secretary of the Treasury to suspend the coinage of silver dollars upon the present legal ratio. The market value of the silver dollar being uniformly and largely less than the market value of the gold dollar, it is obviously impracticable to maintain them at par with each other if both are coined without limit. If the cheaper coin is forced into circulation, it will, if coined without limit, soon become the sole standard of value, and thus defeat the desired object, which is a currency of both gold and silver, which shall be of equivalent value, dollar for dollar, with the universally recognized money of the world.

The retirement from circulation of United States notes, with the capacity of legal tender in private contracts, is a step to be taken in our progress toward a safe and stable currency, which should be accepted as the policy and duty of the Government and the interest and security of the people. It is my firm conviction that the issue of legal-tender paper money based wholly upon the authority and credit of the Government, except in extreme emergency, is without warrant in the Constitution, and a violation of sound financial principles. The issue of United States notes during the late Civil War with the capacity of legal tender between private individuals was not authorized except as a means of rescuing the country from imminent peril. The circulation of these notes as paper money, for any protracted period of time after the accomplishment of this purpose, was not contemplated by the framers of the law under which they were issued. They anticipated the redemption and withdrawal of these notes at the earliest practicable period consistent with the attainment of the object for which they were provided.

The policy of the United States, steadily adhered to from the adoption of the Constitution, has been to avoid the creation of a national

debt; and when, from necessity in time of war, debts have been created, they have been paid off on the return of peace as rapidly as possible. With this view, and for this purpose, it is recommended that the existing laws for the accumulation of a sinking fund sufficient to extinguish the public debt within a limited period be maintained. If any change of the objects or rates of taxation is deemed necessary by Congress, it is suggested that experience has shown that a duty can be placed on tea and coffee, which will not enhance the price of those articles to the consumer, and which will add several millions of dollars annually to the Treasury.

To the recommendations of the President in regard neither to the silver coinage nor to the retirement of the greenbacks did Congress pay any heed. The sentiment in favor of both forms of currency still dominated the public mind. Even Secretary Sherman did not approve of the President's views regarding the greenbacks, being entirely content "to hold on to the progress made in making United States notes equivalent to coin rather than to attempt to secure their retirement from circulation." [1] Congress refrained during this session from any financial legislation, the success of resumption, the growing revenues, and the great and general increase in prosperity and business activity making it difficult for the advocates of "cheap money" to command a hearing. In so favorable a condition were the finances of the country felt to be that in their national platform in 1880 the Republicans merely rehearsed the financial accomplishments of their period of power and made no commitments for the future; while the Democrats declared for "honest money consisting of gold and silver, and paper convertible to coin on demand," and for "the strict maintenance of the public faith."

In his last annual message, December 6, 1880, Mr. Hayes made a final, unavailing plea both for the retirement of the greenbacks and for an honest silver dollar, saying: —

[1] *Recollections*, chapter xxxix. In this connection the following entry in Mr. Hayes's diary, of July 24, 1879, is interesting: "Sherman made an effective speech at Portland yesterday. He is now a candidate for the Republican Presidential nomination. I would make two criticisms [on the speech]: 1. It gives encouragement to sectionalism. 2. It is not sound on the financial question. On the latter question, he expresses the opinion that legal-tender notes ought to be, or may very well be, a part of the paper currency of the country. Now in my opinion (1) these notes are not in time of peace a constitutional currency, and (2) they are a dangerous currency, depending as they do wholly on congressional discretion as to their amount, their issue, and all of their functions."

The continuance of specie payments has not been interrupted or endangered since the date of resumption. It has contributed greatly to the revival of business and to our remarkable prosperity. The fears that preceded and accompanied resumption have proved groundless.

No considerable amount of United States notes have been presented for redemption, while very large sums of gold bullion, both domestic and imported, are taken to the mints and exchanged for coin or notes. The increase of coin and bullion in the United States since January 1, 1879, is estimated at $227,399,428.

There are still in existence, uncancelled, $346,681,016 of United States legal-tender notes. These notes were authorized as a war measure, made necessary by the exigencies of the conflict in which the United States was then engaged. The preservation of the nation's existence required, in the judgment of Congress, an issue of legal-tender paper money. That it served well the purpose for which it was created is not questioned, but the employment of the notes as paper money indefinitely, after the accomplishment of the object for which they were provided, was not contemplated by the framers of the law under which they were issued. These notes long since became, like any other pecuniary obligation of the Government, a debt to be paid, and, when paid, to be cancelled as a mere evidence of an indebtedness no longer existing. I, therefore, repeat what was said in the annual message of last year, that the retirement from circulation of United States notes, with the capacity of legal tender in private contracts, is a step to be taken in our progress toward a safe and stable currency, which should be accepted as the policy and duty of the Government and the interest and security of the people.

At the time of the passage of the act now in force requiring the coinage of silver dollars, fixing their value and giving them legal-tender character, it was believed by many of the supporters of the measure that the silver dollar, which it authorized, would speedily become, under the operations of the law, of equivalent value to the gold dollar. There were other supporters of the bill, who, while they doubted as to the probability of this result, nevertheless were willing to give the proposed experiment a fair trial, with a view to stop the coinage, if experience should prove that the silver dollar authorized by the bill continued to be of less commercial value than the standard gold dollar.

The coinage of silver dollars, under the act referred to, began in March, 1878, and has been continued as required by the act. The average rate per month to the present time has been $2,276,492. The total amount coined prior to the 1st of November last was $72,847,750. Of this amount $47,084,450 remain in the Treasury, and only $25,763,291 are in the hands of the people. A constant effort has been made to keep this currency in circulation, and considerable expense has been necessarily incurred for this purpose; but its return to the Treasury is prompt and sure. Contrary to the confident anticipation of the friends of the measure at the time of its adoption, the value of the silver dollar,

containing 412½ grains of silver, has not increased. During the year prior to the passage of the bill authorizing its coinage, the market value of the silver which it contained was from ninety to ninety-two cents, as compared with the standard gold dollar. During the last year the average market value of the silver dollar has been eighty-eight and a half cents.

It is obvious, that the legislation of the last Congress in regard to silver, so far as it was based on an anticipated rise in the value of silver as a result of that legislation, has failed to produce the effect then predicted. The longer the law remains in force, requiring as it does the coinage of a nominal dollar which in reality is not a dollar, the greater becomes the danger that this country will be forced to accept a single metal as the sole legal standard of value in circulation, and this a standard of less value than it purports to be worth in the recognized money of the world.

The Constitution of the United States, sound financial principles, and our best interests, all require that the country should have as its legal-tender money both gold and silver coin, of an intrinsic value, as bullion, equivalent to that which, upon its face, it purports to possess. The Constitution in express terms recognizes both gold and silver as the only true legal-tender money. To banish either of these metals from our currency is to narrow and limit the circulating medium of exchange to the disparagement of important interests. The United States produces more silver than any other country, and is directly interested in maintaining it as one of the two precious metals which furnish the coinage of the world. It will, in my judgment, contribute to this result if Congress will repeal so much of existing legislation as requires the coinage of silver dollars containing only 412½ grains of silver, and in its stead will authorize the Secretary of the Treasury to coin silver dollars of equivalent value, as bullion, with gold dollars. This will defraud no man and will be in accordance with familiar precedents. Congress, on several occasions, has altered the ratio of value between gold and silver, in order to establish it more nearly in accordance with the actual ratio of value between the two metals.

In financial legislation every measure in the direction of greater fidelity in the discharge of pecuniary obligation has been found by experience to diminish the rates of interest which debtors are required to pay and to increase the facility with which money can be obtained for every legitimate purpose. Our own recent financial history shows how surely money becomes abundant whenever confidence in the exact performance of moneyed obligations is established.

In this message also Mr. Hayes directed the attention of Congress to the fact that six hundred millions of five and six per cent bonds would soon be redeemable, and recommended prompt legislation to enable the Treasury Department to refund them

at a lower rate. Congress, after long debate, finally, on March 1, sent a Refunding Bill [1] to the President, which contained such objectionable features that he was unable to affix his signature, and, on March 3, he returned it with this veto message: —

To the House of Representatives:

Having considered the bill entitled "An act to facilitate the refunding of the national debt," I am constrained to return it to the House of Representatives, in which it originated, with the following statement of my objections to its passage.

The imperative necessity for prompt action, and the pressure of public duties in this closing week of my term of office, compel me to refrain from any attempt to make a full and satisfactory presentation of the objections to the bill.

The importance of the passage at the present session of Congress of a suitable measure for the refunding of the national debt, which is about to mature, is generally recognized. It has been urged upon the attention of Congress by the Secretary of the Treasury and in my last annual message. If successfully accomplished, it will secure a large decrease in the annual interest payment of the nation; and I earnestly recommend, if the bill before me shall fail, that another measure for this purpose be adopted before the present Congress adjourns.

While in my opinion it would be wise to authorize the Secretary of the Treasury, in his discretion, to offer to the public bonds bearing three and one-half per cent interest in aid of refunding, I should not deem it my duty to interpose my constitutional objection to the passage of the present bill if it did not contain, in its fifth section, provisions which in my judgment seriously impair the value and tend to the destruction of the present National Banking system of the country. This system has now been in operation almost twenty years. No safer or more beneficial banking system was ever established. Its advantages as a business are free to all who have the necessary capital. It furnishes a currency to the public which for convenience and the security of the bill-holder has probably never been equalled by that of any other banking system. Its notes are secured by the deposit with the Government of the interest-bearing bonds of the United States.

[1] The bill as originally drawn provided for three and one-half per cent bonds to the amount of $500,000,000 and three and one-half per cent notes to the amount of $200,000,000, redeemable at pleasure, to be used in retiring any bonds as they became redeemable, par for par. Mr. Sherman says (*Recollections*, chapter xli): "Had this bill passed, as introduced, any time before the 4th of March, 1881, it would have saved the United States enormous sums of money and would have greatly strengthened the public credit. It was in harmony with the recommendations made by the President and by myself in our annual reports. . . . Instead of this action, amendments of the wildest character were offered, and the committee which reported the bill acquiesced in radical changes, which made the execution of the law, if passed, practically impossible."

The section of the bill before me which relates to the National Banking system, and to which objection is made, is not an essential part of a refunding measure. It is as follows: —

"SEC. 5. From and after the 1st day of July, 1881, the three per cent bonds authorized by the first section of this act shall be the only bonds receivable as security for National-Bank circulation, or as security for the safe-keeping and prompt payment of the public money deposited with such banks; but when any such bonds deposited for the purposes aforesaid shall be designated for purchase or redemption by the Secretary of the Treasury, the banking association depositing the same shall have the right to substitute other issues of the bonds of the United States in lieu thereof: *Provided*, That no bond upon which interest has ceased shall be accepted or shall be continued on deposit as security for circulation or for the safe-keeping of the public money; and in case bonds so deposited shall not be withdrawn, as provided by law, within thirty days after interest has ceased thereon, the banking association depositing the same shall be subject to the liabilities and proceedings on the part of the Comptroller provided for in section 5234 of the Revised Statutes of the United States: *And provided further*, That section 4 of the Act of June 20, 1874, entitled 'An Act fixing the amount of United States notes providing for a redistribution of the National-Bank currency, and for other purposes,' be, and the same is hereby, repealed; and sections 5159 and 5160 of the Revised Statutes of the United States be, and the same are hereby, reënacted."

Under this section is is obvious that no additional banks will hereafter be organized, except possibly in a few cities or localities where the prevailing rates of interest in ordinary business are extremely low. No new banks can be organized, and no increase of the capital of existing banks can be obtained, except by the purchase and deposit of three per cent bonds. No other bonds of the United States can be used for the purpose. The one thousand millions of other bonds recently issued by the United States, and bearing a higher rate of interest than three per cent, and therefore a better security for the bill-holder, cannot, after the 1st of July next, be received as security for bank circulation. This is a radical change in the banking law. It takes from the banks the right they have heretofore had under the law to purchase and deposit, as security for their circulation, any of the bonds issued by the United States, and deprives the bill-holder of the best security which the banks are able to give, by requiring them to deposit bonds having the least value of any bonds issued by the Government.

The average rate of taxation of capital employed in banking is more than double the rate of taxation upon capital employed in other legitimate business. Under these circumstances, to amend the banking law so as to deprive the banks of the privilege of securing their notes by the most valuable bonds issued by the Government will, it is believed, in a large part of the country, be a practical prohibition of the organization of new banks, and prevent the existing banks from enlarging their capital.

The National Banking system, if continued at all, will be a monopoly in the hands of those already engaged in it, who may purchase government bonds bearing a more favorable rate of interest than the three per cent bonds prior to next July.

To prevent the further organization of banks is to put in jeopardy the whole system by taking from it that feature which makes it, as it now is, a banking system free upon the same terms to all who wish to engage in it. Even the existing banks will be in danger of being driven from business by the additional disadvantages to which they will be subjected by this bill. In short, I cannot but regard the fifth section of the bill as a step in the direction of the destruction of the National Banking system.

Our country, after a long period of business depression, has just entered upon a career of unexampled prosperity.

The withdrawal of the currency from circulation of the National Banks and the enforced winding up of the banks in consequence, would inevitably bring serious embarrassment and disaster to the business of the country. Banks of issue are essential instruments of modern commerce. If the present efficient and admirable system of banking is broken down, it will inevitably be followed by a recurrence to other and inferior methods of banking. Any measure looking to such a result will be a disturbing element in our financial system. It will destroy confidence and surely check the growing prosperity of the country.

Believing that a measure for refunding the national debt is not necessarily connected with the National Banking Law, and that any refunding act would defeat its own object if it imperilled the National Banking system or seriously impaired its usefulness, and convinced that section 5 of the bill before me would, if it should become a law, work great harm, I herewith return the bill to the House of Representatives for that further consideration which is provided for in the Constitution.

RUTHERFORD B. HAYES.

EXECUTIVE MANSION, March 3, 1881.

This veto message was the last service rendered by Mr. Hayes, as President, to the cause of sound finance.[1] Throughout his incumbency, with the possible exception of his failure to veto the bill repealing the clause of the Resumption Law providing for the retirement of greenbacks in excess of $300,000,000, he had adhered consistently in word and action to the cause of sound money and had unfalteringly insisted on the sacredness

[1] "This last important official act of President Hayes gives him a new title to the grateful respect of his countrymen. Those of his own party, who have joined with the worst elements of the opposition to thwart and embarrass his Administration, have seen it close amid expressions of hearty good-will from all sides, and sure of a constantly increasing regard hereafter." (*Harper's Weekly*, editorial, March 19, 1881.)

of the national obligations. Undoubtedly the country would have been spared many anxious years if the financial principles and policy that he presented and impressively advocated could have been adopted and maintained. As it was, the course he pursued and the counsel he gave had vast influence in checking the prevalence of financial heresy and renewing the confidence of the country in the controlling purposes and soundness of the Republican party.

CHAPTER XXXI

THE CIPHER DISPATCHES

DURING the first session of the Forty-fifth Congress, which lasted until June 20, 1878, no measures of great and general importance, apart from those relating to the public finances, became laws. But near the end of the session an echo of the disputed election contest was heard, which renewed for a time the partisan passions which had stirred the country during the winter of 1876–77, and which the better sentiment of all parties had hoped that the action of the Electoral Commission had permanently allayed. It was too much to expect, however, that the more radical Democratic politicians, incensed at the decision of the commission, should not seek to keep alive in the breasts of Democratic voters the feeling that they had been the victims of injustice and injury. Mr. Tilden himself, who doubtless expected a renomination in 1880, had no thought of allowing the "fraud issue" to sink out of sight. In a speech from the steps of his house in Gramercy Park, New York, on his return from a trip to Europe, in October, 1877, he had manifested great bitterness of spirit at the frustration of his hopes. The cause he represented, he grandiloquently said, "embraced the largest and holiest interests of humanity"; but it had suffered defeat through the perpetration of "a great fraud which the American people have not condoned, and never will condone — never, never, never." Mr. Tilden's close political friends were equally unreconciled; equally assertive of the righteousness of the Democratic cause; equally confident of popular vindication when the voters should again have opportunity to express their sentiments. The Democratic press rang the changes upon "the great fraud," with constant iteration, in all the ways that journalistic ingenuity or partisan malevolence could suggest. In this incendiary activity the most persistent and malignant newspaper detractor of the President was the New York *Sun*. Whether

the Democratic politicians and editors, in the policy they were now pursuing, had anything definite in mind more than this, to make party capital for use in the approaching congressional election and in the next Presidential contest, is not absolutely certain, though widely prevalent contemporary opinion, as we shall see, — which was by no means confined to Republicans, — found abundant reasons for charging them with revolutionary designs.

Already in Louisiana efforts had been made to prove that the members of the Returning Board had been guilty of crime in canvassing the vote. It had been the understanding of the President, when he left Louisiana free of federal interference in settling its state election controversies, that political bygones should be ignored; that in the interest of amity and general good feeling the now dominant party would refrain from partisan reprisal or anything that savored of political prosecution, being content to establish a new era of just and honest administration. The voluntary pledges of the Louisiana Legislature and the promises of Governor Nicholls, doubtless given in good faith, had justified this understanding. The conservative elements of the Louisiana people were undoubtedly favorable to this wise policy. But there were many men of less temperate quality, characterized as Bourbons, who refused to be conciliated. In July, 1877, criminal proceedings were begun at New Orleans against the four members of the Returning Board on the charge that they had uttered forged and counterfeit returns from the Parish of Vernon, greatly increasing the vote for the Hayes electors and greatly diminishing the vote for the Tilden electors. One member of the board, Thomas C. Anderson, was put on trial in the following January, was found guilty by the jury (which recommended mercy), and sentenced to the penitentiary for two years. Effort was made unavailingly to have the case transferred to the federal jurisdiction. It was manifest by the course of the proceedings and the temper of public sentiment in New Orleans that the trial was induced by a spirit of political retaliation and that conviction was a foregone conclusion. The evidence failed to prove that Anderson had anything to do with altering the figures. At once there were demands on Governor Nicholls to pardon Anderson. It is altogether likely that he

would have done so.[1] But Anderson immediately appealed to the Supreme Court, and on March 18 the court set aside the verdict and discharged the prisoner. Chief Justice Manning in the ruling opinion held virtually that the offense charged, if committed, was not made criminal by the existing law. Under this decision, which brought dismay and chagrin to the Bourbons, further prosecution was seen to be useless and the cases against the other members of the Board were dropped.[2] The trial of Anderson, however, afforded the Democratic papers opportunity to discuss anew the Louisiana election muddle and to pay their respects to the characters of some of the men that had been engaged in its settlement. It had, of course, to be acknowledged that not all the Louisiana Republican election officers and agents were men that had borne unsullied reputations. But, whatever reputations they had earned by their previous lives, persons of sober judgment who were informed of the facts of the election, could have slight hesitation in believing that in their canvass of the votes of 1876 these men had not only not exceeded the discretionary powers of their office, but had simply performed their manifest duty under the law and had reached the right and equitable conclusion.

Besides the general feeling among Democrats of dissatisfaction and chagrin at their failure before the Electoral Commission,

[1] "The topic of interest now, next to the Silver Bill, is the Anderson prosecution in New Orleans. I put it as a simple question of good faith — of honor on the part of Louisiana. Suppose all of the facts proved against Anderson to have existed — but suppose the Returning Board had counted the State for Tilden. Would there have been any prosecution? Nobody believes there would. Is it not a clear case, then, within the resolutions of the Nicholls Legislature, and the letter of Governor Nicholls? Believing the affirmative I rely upon, I trust the honor of Governor Nicholls." (Diary, February 15, 1878.)

[2] "The Returning Board prosecutions are ended by the decision of the Supreme Court of Louisiana. No doubt the court found legal grounds for its decision. But the favorable fact is that the court followed the best public opinion of Louisiana in opposition to the wishes of the Bourbons. The ruffian class, the implacables, and the press were for the severest punishment — determined to persecute the members of the Board to the bitter end. For the first time the better classes have overruled the violent. Pacification begins to tell." (Diary, March 21, 1878.)

The same day Mr. Hayes wrote to Mrs. Hayes: "The end of the Returning Board persecution is very welcome to friends of the Southern policy, and by no means satisfactory to the implacables. For the first time in the South the public opinion of the better elements has overcome the wishes of the ruffian class."

several specific circumstances prepared the way for the action of the Democratic Congressmen who were determined to reopen the case in the effort to prove that the decisions of the Returning Boards in Florida and Louisiana in favor of the Republican electors had been procured by fraud, or at least by corrupt influences. In December, 1877, William E. Chandler, member of the Republican National Committee from New Hampshire, who had been most active in the campaign of 1876, who had had charge of the Republican cause before the Returning Board of Florida, and had assisted the Republican counsel in preparing the Florida case for presentation before the Electoral Commission, published a letter to the Republicans of New Hampshire, on the eve of their state convention, in condemnation of the President's Southern policy, which attracted wide attention.[1] Mr. Chandler was thoroughly convinced that the Republicans were fairly entitled to the state officers in the three disputed Southern States, and he was furiously indignant at President Hayes for not recognizing Chamberlain and Packard as the rightful Governors of South Carolina and Louisiana and then sustaining them by the power of the Federal Government. In his letter, which with other documents was subsequently printed in pamphlet form, Mr. Chandler charged that "assurances were freely and forcibly given by Mr. Senator Sherman and his associates" to the Returning Board of Louisiana, that "they themselves should be protected from evil consequences" if they performed the "extraordinary even if justifiable work, in the face of an armed and infuriated Democracy," of correcting the returns; and that "Mr. Stanley Matthews declared . . . on more than one occasion that Hayes and Packard should stand or fall together." But "almost the first act of the new Administration was to fulfil a bargain that had been made during the Presidential count, by which, if Hayes should be President, the lawful governments of Louisiana and South Carolina were to be abandoned, and the mob-governments in these States were to be recognized and established." And much more to the same effect, with adroit array of circumstances and skilful special

[1] In spite of the letter and in spite of a speech of similar intent by Mr. Chandler before the State Committee, the New Hampshire convention adopted a resolution commending the President's course.

pleading, which ignored conflicting facts of common knowledge and convincing force.

The virtual charge was that the Louisiana Returning Board, while simply doing its unquestionable duty, had done so only as the result of a bargain made with it by "Mr. Senator Sherman and his associates"; and that the President had then failed to carry out this "bargain," but had carried out a subsequent "bargain" of a very different character, "made during the Presidential count." How baseless the latter accusation was has already been shown.[1] And now Mr. Sherman instantly denied that he had any part in any bargaining either express or implied. His word was sufficient with all reasonable men to carry conviction. But the Democratic politicians and papers, eager to seize any chance or to use any pretext to keep the "great fraud issue" before the public mind, treated the Chandler "revelations" as matter worthy of the most serious consideration; and suggestions began to be made by the more radical that a congressional inquiry, looking to an attack on the President's title to his office, should be instituted. Intimations were made even that such an attack would not be disagreeable to certain of the Republican irreconcilables who disapproved of the Southern policy and who were exasperated to the point of anger at the President's persistent adhesion to civil service reform and anti-spoils principles. But the great body of sensible opinion deprecated any reopening of the electoral dispute. The question had been settled by the instrumentality specially created, with the aid and sanction of both parties acting in patriotic unison; and whatever any individual might think of the propriety or equity of the settlement, the settlement itself should be regarded as absolutely final. Any attempt now to impugn its validity could only be attended with mischievous consequences; any thought of seeking to reverse it would be a breach of good faith, tantamount to purposes of revolution.

The Democratic Legislature of Maryland, under the leadership of Mr. Montgomery Blair, was ready for this revolutionary attempt. Early in January, Mr. Blair introduced in the House of Delegates a long memorial addressed "to the Senate and House of Representatives in Congress assembled," asserting among

[1] See concluding paragraphs of chapter XXVIII.

other things that the act creating the Electoral Commission provided that no decision under that act should preclude a judicial decision of the question; that the obvious intent was to assure the people that the question should be determined on its merits by the proper judicial tribunal if the commission held itself incompetent to render such a decision; that the commission had so held, and that, —

> In consequence of this decision, the present incumbent of the Presidential chair was seated by virtue of returns which were notoriously false and fraudulent, and were so in effect admitted by Justice Strong, whose vote seated him, and also by the incumbent himself, in disregarding those returns as respects state officers whose titles to office were also based upon them, and were in every respect identical with his own.

Wherefore the memorialists prayed "that needful legislation be adopted to ascertain judicially who was elected President at the recent election, and to give effect to the will of the people." A motion to lay the memorial on the table was overwhelmingly voted down; whereupon it was referred to the Committee on Federal Relations, in whose hands it remained for a month. But the memorial afforded further occasion for public dispute and gave some indication of the trend of thought among the irreconcilable Democrats. Finally the committee reported the memorial, advising sensibly against its adoption. Mr. Blair then moved a series of resolutions as a substitute for the report in which it was declared that Congress, "by failing to supply the legislation required to enforce the judicial investigation of this fraud, . . . sanctions and invites its repetition in the future and endangers the peace of the country and the stability of republican institutions"; and goodness knows what else. Only let Congress pass David Dudley Field's proposed *quo warranto* bill, urged Mr. Blair, in advocating the adoption of his substitute, and "it would not require sixty days to give effect to the will of the people." "There is not a disputed fact nor a doubtful point of law involved in the proceedings under Mr. Field's bill to seat Mr. Tilden. His political adversaries now desire to give him the seat." After a long debate the substitute for the report was adopted and then on second thought the resolutions were rejected by a small majority. Not cast down by these rebuffs, however, the bold and pertinacious Mr. Blair, flattered, no doubt, by the sudden

conspicuity which his valiant efforts in behalf of Mr. Tilden's lost cause had given his name in the public prints, presently offered a new resolution bearing on the subject, which was finally adopted. This instructed the Attorney-General of the State, in case Congress passed the necessary act, "to exhibit a bill in the Supreme Court of the United States on behalf of the State of Maryland . . . setting forth the fact that due effect has not been given to the electoral vote cast by this State on the 6th day of December, 1876, by reason of fraudulent returns made from other States and allowed to be counted provisionally by the Electoral Commission, and subject to judicial revision, and praying said court to make the revision contemplated by the act establishing said commission." This resolution was presented in Congress by Mr. Swann, of Maryland, referred to the Committee on the Judiciary, and ordered printed. Like Mr. Blair's previous performances it was the subject of wide comment.

And constantly about Washington and in the newspapers the reports became more frequent and more definite to the effect that the Democratic leaders in Congress were preparing in some way to reopen the Presidential controversy and attack the title of Mr. Hayes, which the country had been glad to believe was finally closed and irrevocably settled by the Electoral Commission and the Forty-fourth Congress. These rumors caused uneasiness and alarm in the minds of sensible people. The conservative influences of the country were utterly opposed to any movement calculated to disturb existing conditions. The President's title was impregnable and unassailable. It had been established by resort to special and extraordinary methods, adopted by the concurrence of the overwhelming majority of Congress of both parties. These methods had been approved and applauded by universal public sentiment, and the result attained thereby had been accepted by the whole country as absolutely conclusive. To challenge that result now would be nothing less than revolutionary; would plunge the country into chaos and would become a precedent for the future whose evil consequences no finite intelligence could foresee. Not one single good purpose was to be served by any new investigation, if that was all that was contemplated, of the facts of the election in the disputed States. The investigations made by committees of Congress in the weeks

preceding the adjudication of the Electoral Commission had been exhaustive. What the country needed now from Congress was rest from partisan recrimination and wise efforts to aid in the restoration of prosperity and the development of our commercial and industrial resources.

These considerations, in which conservative Democrats in and out of Congress concurred, did not shake the determination of the more radical Democratic leaders, who were gradually shaping their plans, becoming in the course of events more and more sanguine in their anticipation of partisan benefits to be attained. Late in April "confessions" of S. B. McLin, of the Florida Returning Board, and of minor election officers of Florida, especially one Dennis, appeared. Both these men had been disappointed in their office-seeking efforts. The former had been appointed Chief Justice of New Mexico, but had failed of confirmation by reason of the opposition of Senator Conover. The latter had received a minor place in the Treasury Department and had been dismissed for inattention to his duties. Both in consequence had been pricked in conscience and then struck out in blind anger at the President. McLin was now convinced, he said, that Florida's vote should have been counted for Tilden, though he wished it understood that he had acted conscientiously when he officially declared otherwise. But, he feebly proceeded: "Looking back now to that time, I feel that there was a combination of influences that must have operated most powerfully in blinding my judgment and swaying my action." Though "I cannot say how far my action may have been influenced by the intense excitement that prevailed around me, or how far my partisan zeal may have led me into error; neither can I say how far my course was influenced by the promises made by Governor Noyes, that if Mr. Hayes became President I should be rewarded. Certainly these influences must have had a strong control over my judgment and action." All of which might be interesting as a psychological study of himself by a disappointed office-seeker, embittered at his lack of success and eager for revenge, but the very state of mind which it disclosed was enough with sensible folk to discredit his confession of official turpitude. It was accepted, however, by the radical Democrats as evidence of prodigious importance. And so, too, were the "revelations" that were being peddled about by

James E. Anderson, ex-supervisor of the Parish of East Feliciana, Louisiana, also a disappointed and discredited office-seeker. He was reputed to be fairly bursting with information implicating Secretary Sherman in a conspiracy to control the count of votes in Louisiana.

So, after much caucusing among the Democrats of the House and consultations, as it was believed at the time, with Mr. Tilden, a resolution, with numerous preambles, demanding an investigation was formulated, and Clarkson N. Potter, of New York, was designated by the caucus to present it to the House as a question of privilege. This he did on May 13.[1] The first preamble cited the Blair resolution of the Maryland Legislature; the second referred to the McLin affidavit accusing "Edward F. Noyes, now a minister for this Government to France," of improper conduct; the third dwelt on the alleged "conspiracy" of Republicans which resulted in the rejection by the Returning Board of Louisiana of the returns from the Feliciana Parishes, to whose consummation the "Honorable John Sherman, now Secretary of the Treasury of the United States," was a party; and in the fourth this climax was reached: —

[1] Mr. Hayes, in his diary, May 14, writes of this action in these words: —

"Various 'confessions' and statements lately made by McLin and Dennis, of Florida, and others of Louisiana, as to frauds in the elections, have caused the Tilden Democrats, aided by implacable Republicans of the Chandler sort, to threaten investigations. Yesterday Mr. Potter offered the resolution to go into it in the House. It is a partisan proceeding for merely partisan ends. If the Republicans manage well their side of the controversy, I suspect it will damage its authors. It should be opposed: —

"1. As partial and narrow. If investigation is to be had, it should embrace all the questions which have been raised touching the fairness and legality of the elections.

"2. It is revolutionary; it looks to overthrowing the solemn adjudication of the commission as confirmed by Congress. Herein should be given a full history of the origin, purpose, and understanding as to the commission — the action of Congress, etc., etc.

"3. It will disturb the business of the country.

"4. It interrupts the course of pacification between the sections and races, and revives sectional strife and deepens the color line.

"5. It is done by Tammany — by the New York rings. It is to continue the rule of New York in the Democratic party. Trace this power in the nominations of 1864, 1868, 1872, and 1876 in the Democratic party.

"6. It is not in the interest of the South. They want peace, education, improvements, and immigration.

"7. It is not in the interest of the country."

WHEREAS, The gravity of these charges, the nature of the evidence upon which they are reported to be based, and the official dignity and position of the persons named in connection with the said frauds make it proper the same should be inquired into to the end that the honor of the nation may be vindicated and the truth as to such elections made known.

Therefore the resolution declared for the appointment of a select committee of eleven members "to inquire into the allegation as to the conduct" of Messrs. Sherman and Noyes in relation to the Louisiana and Florida count, and "into all the facts" which the committee might think pertinent regarding the canvass of the votes in those two States. The Republicans contended that such a resolution could not be introduced as a question of privilege, unless, as Mr. Garfield urged, it was "a proceeding intended to pave the way for an impeachment" of the President. "If it was a proposition by the House to raise and determine the question of the title of the present Chief Magistrate, that question had been determined by the joint action of the two houses of Congress, and it was as much beyond the reach of this House as the election of Grant or Washington." Mr. Potter "absolutely and positively refused to declare any such purpose; his purpose was only to inquire." But he did not as absolutely and positively deny that "such a purpose" might be implied in the consequences of the inquiry, as was widely charged in contemporary comment. And Mr. Speaker Randall's carefully prepared decision sustaining the Democratic contention gave added basis for such a charge. "A higher privilege," he said, "than the one here involved, and broadly and directly presented, as to the rightful occupancy of the chief executive chair of the Government, . . . the Chair is unable to conceive." The Republicans appealed from the decision, but were outvoted.

Thereupon the Republicans [1] made repeated efforts to broaden the scope of the investigation, so that inquiry should be made into the efforts of the Democrats to buy one of the electors of Oregon, as revealed by the cipher dispatches, which the Senate committee of the year before had unearthed. But the Democrats refused to make any change in their programme, thus

[1] Certain of the Democrats were in favor of making the inquiry general, but they were overruled by the caucus.

indicating that they were bent upon a purely partisan inquiry.[1] The Republicans then abstained from voting, thus breaking the quorum (the famous Reed device of counting a quorum not yet having been evolved), and it was not until May 17 that the Democrats were able to pass the resolution. The Republican Congressional Committee at once issued an address to the country, declaring that the resolution was intended "to lay the foundation for a revolutionary expulsion of the President from his office." [2] It continued: —

This is the culmination of a plot which has been on foot from the day that Hayes and Wheeler were constitutionally declared elected. It made its first public appearance in the resolutions of the last Democratic House, adopted at the close of the session, declaring that Tilden and Hendricks were elected. Tilden and Hendricks subsequently made similar public declarations themselves. . . . In other words, they [the Democrats] intend after hearing suborned evidence to bring in a verdict that Hayes is a usurper and that he shall not remain in office. . . . The Republicans offered to favor the fullest investigation into all alleged frauds by whichever party charged to have been committed, but the Democracy pursued its course shamelessly and relentlessly and stifled all inquiry into attempts at bribery in Oregon, South Carolina, and Louisiana, and violence in several of the States. Neither amendment nor debate was allowed. The inexorable previous question was applied and enforced. This scheme if pursued — and it is now fully inaugurated — can only have the effect of further paralyzing business of all kinds and preventing the restoration of confidence, which seemed promising, casting a gloom over every household and bringing our nation into reproach before the civilized world.

[1] Further, it was known that the Democratic caucus had rejected an amendment to the Potter resolution, proposed by Mr. Young, of Tennessee, and supported by several of the more conservative members, especially from the South, which read: "But it is not intended by this proceeding to disturb the present Chief Magistrate in the occupancy of his office, nor to impair public confidence in the policy he has inaugurated toward the Southern States."

[2] That Mr. Hayes took the same view of the purpose of the investigation is intimated by the following entry in the diary of May 19: —

"The House of Representatives has ordered an investigation of the elections in Florida and Louisiana. The resolutions adopted accuse Governor Noyes and Secretary Sherman of crookedness. It will do no more than raise a dust — throw dirt and the like, unless it is intended, as I seriously suspect, to lay a foundation for a revolution. There is a purpose with the real authors to reverse the result of the last election. If they are sustained in the elections there is danger. It is another rebellion!

"Look up all letters from Noyes, Matthews, Chandler, to see the exact condition of my correspondence. I neither knew nor suspected fraud on our side. The danger was fraud by our adversaries."

This address fairly reflected the dominant tone of Republican thought. Indeed, one effect of the Democratic methods in passing the resolution was to bring the Republicans into closer harmony than they had been in support of the Administration. On the other hand, while the prevailing sentiment among the Democrats favored the investigation, there were murmurs of disapproval among the wiser leaders of the party, and some of these openly condemned the proceeding. Alexander H. Stephens denounced it repeatedly "as most unwise, most unfortunate, and most mischievous"; and he sagaciously predicted that the affair would "prove in the end either a contemptible farce or a horrible tragedy." [1] How this wise old statesman must have rejoiced at the fulfilment of his prophecy, even while he lamented the folly of his headstrong fellow partisans who would not heed his experienced advice!

The indications of popular alarm at the threatened assault on the White House were so numerous and the outcry of disapprobation so distinct, that after a few days Mr. Potter sought in a long public letter to justify the peremptory action of the Democratic majority in Congress and to allay the public apprehension regarding the purpose in view. That purpose, he declared, was "to ascertain the facts, so that if frauds be established, a repetition of such frauds may be prevented, and if not, to clear up the general belief throughout the country that there were such frauds." He himself had not the slightest doubt that the Democrats were cheated out of the Presidency. "The whole thing was, as I think, a gigantic game, in which we held the cards and the Republicans bluffed us." The President's title rested upon the determination of the Electoral Commission to which "every one submitted." That was true enough, but "if now it should appear that there was fraud, which palpably affected the electoral vote, and which the commission did not notice, and if a legal remedy exists for correcting the error, . . . or Congress should hereafter . . . provide one, why should the legal determination thereafter had produce disturbance?" "I do not mean," he said again, "that I expect the investigation to be followed by either legal or congressional action. What, if anything, should be done because of the inquiry must depend on the results of the inquiry. But I

[1] Letter of May 28 to the Washington *Post*.

do mean that whatever action, if any, should follow the investigation, such action can neither disturb the order nor the prosperity of the country."

It was clear, therefore, from this careful balancing of phrases, that an effort to impugn the President's title to his office and to right "the great wrong" was entertained by the Democratic leaders as a possible if not probable outcome of the investigation. Only, they insisted, that any action they might take involved "not the slightest chance of revolution or disturbance." Don't be alarmed, they said, in effect; we may try to oust the President by some means or other; but there will be no disturbance — take our word for it! It can easily be understood that such talk from the leader of the Democratic investigators was not calculated to reassure the public mind.

And on the same day, May 28, as it happened, there was published also an open letter on the situation from Postmaster-General Key. It was addressed to the Southern people and was written in answer to many private letters received by Mr. Key from Southern men disavowing sympathy with any attack on the President's right to his office. Mr. Key was convinced, he wrote, by the circumstances attending the passage of the Potter resolution and by the declarations of Democratic politicians and journalists, "that if both houses of the Forty-sixth Congress are Democratic, the majority intend to oust President Hayes and inaugurate Mr. Tilden." But Mr. Hayes's "title was settled irrevocably by the Forty-fourth Congress"; the Forty-fifth Congress had no right to dispute his election; and "the Forty-sixth Congress will have no more right to ignore him and recognize his defeated contestant, Mr. Tilden, than Mr. Hayes would have to send a file of soldiers to the House of Representatives to unseat a Democrat whom he might consider to have been wrongfully seated or fraudulently elected." Mr. Key reminded his readers that it was the patriotism of Southern members that compelled the completion of the count of the electoral vote when filibusters sought to prevent it. Now the Southern Representatives had yielded to caucus dictation in defiance of Southern sentiment. Let the Southern people therefore "afford a crowning evidence of their renewed devotion to the Union . . . by sending Representatives to the Forty-sixth Congress pledged to resist

at all hazards the revolutionary schemes of the mischief-makers" which could not "be carried out without a bloody civil war." [1] This letter made a profound impression on the public mind and was furiously resented by the Democratic press.[2]

[1] It seems not unlikely that Mr. Key's letter was submitted to the President before it was given to the public. At any rate, that it correctly reflected Mr. Hayes's own views is proved by the diary, May 31, which says: "The event now on the scene is the investigation as to the election, looking to ousting the Republicans from power by revolutionary proceedings. My views are well shown by Judge Key's letter, Alexander Stephens's letter, and an interview somewhat inaccurately reported by G. A. Townsend. I never authorize interviews. This one I did not suspect at the time. Talking with Judge Wills on the subject, while having a reception, Mr. Townsend stepped up, and, continuing the conversation, got up the so-called interview out of the items obtained from me." — In the interview referred to (Philadelphia *Times*, May 31) Mr. Hayes is credited with condemning the Democratic caucus control which had forced the Potter movement and with approving the views expressed by Mr. Key and Mr. Stephens, and he is quoted as saying: "Such schemes cannot be carried out without war. I swore to preserve the Constitution of the United States, and will deliver the executive office in its integrity to my successor. They can impeach me in the House of Representatives and try me in the Senate. There is no other way in which I will recognize any attempt of Congress to remove me. But I do not believe that the United States Senate has fallen to that point where high-class Democrats like Bayard and Thurman, Gordon and Hill, will agree to make the Senate a vehicle for carrying out the revolutionary edict of a party caucus by a conviction or impeachment. . . . I should defend my office and the independence of the Executive against any intruder." The interview elicited much adverse comment, especially of its tone. Whereupon Mr. Townsend, in a second account (Cincinnati *Enquirer*, June 2), explained that, in his haste to report the interview, "perhaps the conversation appears in an intensity of expression which might lead the reader to suppose the President was excited and anxious to talk. He never was more complacent and quiet."

[2] On the other hand, it was about this time that the New York *Evening Post* printed the following verses: —

TO THE PRESIDENT

Macte . . . sic itur ad astra! — VIRG.

Stand firm, brave heart! Despite of faction's cries,
In thy great task be constant to the end;
The nation's voice is with thee, and replies
In cheers to thine, hailing the People's friend.
The People — all — not party nor a part;
Nor North nor South, nor East nor West, but all
Bound by thy rule are bound within thy heart,
Content by thy strong words to stand or fall.
The reign of wrong and petty rogues shall cease,
Merit and honesty sole passports be
Henceforth to trust; and hearty Union, peace
Succeed to strife and local tyranny.
Then shall the country, long-depressed, up-stand;
With wings renewed Prosperity shall rise,
And fling her garlands o'er the bounteous land —
Brighter than war's, dearer than victory's.

Finally, the pressure of public opinion became so heavy that the Democrats in Congress could no longer bear its weight, and on June 14, under suspension of the rules, they were forced to accept this declaration: —

WHEREAS, At the joint meeting of the two houses of the Forty-fourth Congress convened pursuant to law and the Constitution, for the purpose of ascertaining and counting the votes for President and Vice-President for the term commencing March 4, 1877, upon counting the votes Rutherford B. Hayes was declared to be elected President and William A. Wheeler was declared elected Vice-President for such term: therefore,

Resolved, That no subsequent Congress and neither house has jurisdiction to revise the action at such joint meeting, and any attempt by either house to annul or disregard such action or the title to office arising therefrom would be revolutionary and is disapproved by this House.[1]

It is worthy of note that Messrs. Blackburn, Hewitt, and Springer voted in the negative and that Mr. Potter was recorded as not voting. Plainly, these leaders of the Democratic party had committed themselves to quite a different theory of the powers of any "subsequent Congress." But by the passage of this resolution Congress had nipped in the bud any possible

Let faction howl, cold-hearted friends hang back,
And baffled enemies revile thy name:
Stand firm: hold stanchly on thy self-set track,
And win in after age immortal fame;
The Patriot in bad times who stainless stood,
And knew no statecraft but his country's good.

GEORGE VANDENHOFF.

[1] The motion was made by Mr. Burchard (Rep.), of Illinois, and it took the Democrats completely by surprise. Absentees were quickly summoned from committee rooms and excited consultation took place on the floor. The leaders were unable to hold their followers. Only twenty-one voted against suspension of the rules, though many refused to vote. Immediately thereafter Mr. Hartridge (Dem.), from the Committee on the Judiciary, reported adversely the bill presented by Mr. Kimmel, of Maryland, to give the Supreme Court power to try the Presidential election controversy, as the Maryland resolution requested. The committee held "that Congress had no power under the Constitution to confer such jurisdiction." It proposed this resolution: —

"*Resolved*, That the two houses of the Forty-fourth Congress, having counted the votes cast for President and Vice-President of the United States, and having declared Rutherford B. Hayes to be elected President, and William A. Wheeler to be elected Vice-President, there is no power in any subsequent Congress to reverse that declaration, nor can any such power be exercised by the courts of the United States, or any other tribunal that Congress can create under the Constitution."

This resolution was now overwhelmingly adopted, Mr. Hewitt voting in the affirmative, but Messrs. Blackburn and Springer still in the negative.

revolutionary project that the intimate partisans of Mr. Tilden may have contemplated. The investigation henceforth could be useful to the Democrats, if at all, only in feeding the flame of their "great fraud issue" to illumine future political contests.

Meanwhile the select committee of eleven, with Mr. Potter as chairman, had been named and June 1 began its labors.[1] Of the four minority members only Mr. J. D. Cox, of Ohio, was a genuine friend of the Administration. Mr. Hiscock, of New York, was a friend of Mr. Conkling; Mr. Reed, of Maine, a friend of Mr. Blaine, and Mr. Benjamin F. Butler, of Massachusetts, was a friend of no one but himself; — he was in open opposition to the President and on the point of breaking entirely with his party.[2] It is unnecessary here to follow the investigation in detail. The first witness, James E. Anderson, of whom so much was expected to discredit Secretary Sherman, proved himself to be such a variegated and versatile liar — a confessed perjurer and blackmailer — that no unsupported testimony that he gave was entitled to credence. He admitted that he had had only one short conversation with Mr. Sherman at New Orleans and that was in a public restaurant; but he produced what purported to be a copy of a letter which he said had been addressed to himself and D. A. Weber by Mr. Sherman. The original, he said, had been lost when Weber was killed. The letter assured the recipients that, if they stood firm in the position they had taken, they would "be provided for as soon after the 4th of March as may be practicable." Mr. Sherman denied under oath that he had written or signed any such letter, though there were expressions in it that he would not have hesitated to use. The letter was, in the end, proved to be a forgery, concocted by an adventuress named Jenks whose irresponsible chatter when before the committee, while affording vast amusement, was a veritable travesty of

[1] The members were Clarkson N. Potter (New York), William R. Morrison (Illinois), Eppa Hunton (Virginia), William S. Stenger (Pennsylvania), John A. McMahon (Ohio), J. C. S. Blackburn (Kentucky), William M. Springer (Illinois), Democrats; and B. F. Butler (Massachusetts), Jacob D. Cox (Ohio), Thomas B. Reed (Maine), and Frank Hiscock (New York), Republicans. — Mr. Randall was accused of "packing" the committee so as to make it as unfavorable to the Administration as possible.

[2] A few weeks later he captured the Democratic nomination for Governor in Massachusetts and carried his demagogic, mischief-making power back to his ancient party allegiance.

testimony.[1] No evidence in corroboration of Anderson's charges against Mr. Sherman was produced and so the "case" against him completely broke down. Anderson, however, produced correspondence between himself and Stanley Matthews relating to his efforts to obtain office, which showed, to say the least, that Mr. Matthews had been easily imposed upon and that he had been indiscreet in pressing Anderson's "claims." On the other hand, it developed that Mr. Hayes, who had at first received the impression that Anderson was a deserving and competent man, who might well receive a small consulship, had on learning his true character refused to give him place or even to see him. Mr. Hayes in his diary (June 2, 1878) gives the following racy account of his relations with Anderson: —

> The election investigation began yesterday with calling as a witness the scamp Anderson. He testified that a letter was given to himself and Weber, election officers in the Felicianas, by Sherman to induce them to aid in fraud in regard to the election. He produced a copy, as he said, of the letter. It is not a letter which sustains the charge even if genuine. He also testified that he called on me soon after I was inaugurated and got from me an endorsement to Secretary Evarts to give him a consulship in a warm climate.
>
> The facts are, so far as I am concerned: He came to me, one of the throng of office-seekers early in my term. He had a strong recommendation from a trustworthy citizen of Steubenville, Ohio, name not now recollected, and testimonials from Senators Matthews and Kellogg and Representatives Leonard, Darral, Nash. Nothing was said which led me to suspect that he had been guilty of any crookedness, or that any promises had been made to him in my name or otherwise. The facts stated were that he had been an active Republican at the risk of his life in Louisiana, and that on account of his activity as a Republican he had been driven from his home and business and could not safely return. He appeared intelligent and capable. He represented that his wife's health required him to go to a mild climate. Our interview lasted only a few minutes. I, therefore, gave him the recommendation referred to. Afterwards, and after a small consulship had been found for him, I learned from an anonymous letter signed "Bulldozer," and from a note from J. A. Straight, facts that made me suspect him. I also learned from Senator Matthews facts that induced the belief that he was trying to levy blackmail. I then directed that nothing should be done for him until his character was investigated. The result was that no office was given to him. My note as to his character is on file in the State

[1] "Beyond question the most remarkable witness ever before a congressional committee." (New York *Tribune*, Washington dispatch, June 24, 1878.)

Department with other papers. The files show clearly the action by me and the reasons for it.

As to the alleged frauds and perjury of Anderson with reference to the election in Feliciana, I never heard of it until long after his papers were sent to the Secretary of State.

When Anderson was recommended by me for a place in a warm climate there was nothing before me against him, and much in his favor, but after I heard the facts against him I was satisfied we had no place as warm as he deserved, and so he got nothing! Hence his trouble with us now!

Anderson says he told me that the Feliciana business was "a cheat." If so it was on one of the occasions when he was under the influence of liquor and excited. I gave him no serious attention and got rid of him as soon as possible. I certainly never promised him office, and never intended to give him office after I had been informed of his true character and conduct. He could have been appointed if it had been deemed proper, and he was not appointed on account of the information received about him.[1]

Equally futile was the effort to prove that Mr. Noyes had sought to influence the action of the Florida Returning Board by promises of office. A subcommittee visited Florida to take McLin's testimony. McLin repeated in greater detail the impressions set forth in his affidavit. The Republican visiting statesmen, he declared, particularly Messrs. Noyes, Chandler, and Lew Wallace, had assured him that in case of Republican success he would be "well taken care of"; but he acknowledged that Mr. Noyes had made no such promise to him until after the contest was decided. He testified also that Manton Marble, Mr. Tilden's friend, one of the Democratic visitors, had told him, in case the Board declared the Tilden electors chosen, there would be no danger of his dying poor. Mr. Noyes himself, who came from Paris to give his testimony, denied emphatically that he had ever made to members of the Returning Board any promise or

[1] Secretaries Sherman, Schurz, Thompson, and Key, and Messrs. Garfield, McKinley, and Keifer, of the House, were at the White House for dinner June 2. Mr. Hayes writes: "The testimony of Anderson was talked over. The general opinion was that his story was too thin to do serious harm. Anderson testifies that, June 13, 1877, he called at the White House to see me with General Smith (T. C. H.); that Smith saw me, but he did not; that Smith came out saying that 'the President, for political considerations, wanted something satisfactory done for him, Anderson.' My recollection is that I told Smith I believed Anderson was a great scoundrel and that I would not see him, and wanted nothing further to do with him. I certainly did not say I wanted him to have office." (Diary, June 3, 1878.)

held out any inducement to have them declare the State for the Hayes electors before the decision was made; all he sought was a fair and honest count. After the decision was made he told McLin that he should be glad to say to Governor Hayes that he (McLin) had done his duty honestly and faithfully and to recommend him for some position. Mr. Chandler denied making any such promise. General Wallace testified: —

> I went to Mr. McLin's house by invitation an evening or two before the Board was to pronounce their judgment, and after some general conversation, he made the remark that Mr. Manton Marble, representing the Democrats, had been but a very short time before at his house to see him, and had told him there was no necessity of his (McLin's) living or dying a poor man; that if Tilden was counted in he could command anything he wanted. I said to McLin, "Mr. Marble is very bold in his proposition, and he certainly forgets that if Hayes is elected he will have the same opportunity of taking care of his friends, which," I added, "I have no doubt he will do." I did not understand at the time that that was a corrupt proposition from me, or anything that looked that way to Mr. McLin. I had too much respect for Mr. McLin to make any such proposition.

Many witnesses appeared before the committee and a vast amount of evidence, such as it was, was taken. While it revealed anew in a striking way the irregularities and confusion that had accompanied the elections in Louisiana and Florida, it did not add materially to the knowledge in that regard already brought out by the congressional investigations of the previous year. It certainly failed utterly to prove that the action of the Returning Board in either Louisiana or Florida had been the result of Republican "conspiracy," or had been brought about by fraud or corruption. And, of course, the Democratic examiners refused to go into the question of violence and coercion and intimidation, which had justified the action taken by the Returning Boards, in the exercise of their discretionary powers, to determine the true voice of their States.

Naturally the testimony and "confessions" were paraded by the Democratic politicians and papers as tending to substantiate their contention of fraud. In their estimation here was effective material for use in the congressional elections of the year. Manton Marble, whose fervor and rhetoric were ever ready for copious exudation in the cause of his great and good friend, published

a prolix letter in the New York *Sun* of August 3, 1878, which glowed with righteous indignation at the "perjuries, forgeries, and paper fabrications" which he charged the Republicans with having perpetrated and procured in canvassing the votes of the three disputed States. While the desperate Republicans were engaged in their dark designs, he insisted that the virtuous Democrats were "always standing fast in the final citadel of power, the keen, bright sunlight of publicity"; and that their exalted leader placed "his absolute trust in moral forces; his entire faith in the people, their volitions, and their power."

If Mr. Marble could write in that fashion, possessing the secret knowledge that he did, what would have been the ardor of his eloquence could he have banished from his consciousness all memory of his own conduct during the progress of the count in Florida? His secret was safe with the few partners in his endeavors; and all record of it, even could its cryptic form be unriddled, he doubtless supposed had perished long ago. So, how could the public ever suspect that his tone of virtuous exaltation, his scorn of all unrighteous procedure, was as empty and meaningless as a cornered burglar's noisy protestations of innocent purpose? He was not destined long to retain his sense of security; nor the Democrats long to find satisfaction in the performances of the Potter Committee.

In January, 1877, the Senate Committee on Privileges and Elections had obtained, on subpœna, from the Western Union Telegraph Company, all the cipher dispatches — some thirty thousand — which had passed between politicians during the Presidential campaign and the period of the canvass, except those relating to Louisiana, which latter had already been demanded by the House Committee. In March the dispatches had been returned to the company, which took them back to New York and burned them. But while the dispatches were in the possession of the Senate Committee several hundred, relating to Florida, South Carolina, and Oregon, were withdrawn from the mass and retained, quite unknown to the company. Soon after the Potter Committee began its inquiry, these dispatches came into the possession of the New York *Tribune*. Those revealing the Democratic plot to buy an electoral vote in Oregon under direction of Colonel William T. Pelton, Mr. Tilden's nephew and

house companion, had been deciphered while the electoral count was going on. The Florida and South Carolina dispatches, however, had so far baffled all attempts to discover their hidden meaning. The *Tribune* published samples of them from time to time, with humorous comment, in the hope that some reader might detect the key to the cryptogram. Finally John R. G. Hassard, chief of the *Tribune* staff, and Colonel William G. Grosvenor, a member of the staff, set to work independently in a serious and determined effort to solve the mystery. After prolonged labor, the account of which reads more like ingenious fiction than a sober recital of fact, they were entirely successful in discovering the various and intricate keys employed in the cryptic correspondence between Mr. Tilden's house and Democratic agents in Florida and South Carolina. With admirable journalistic exploitation the *Tribune*, early in October, began to print the cipher dispatches together with their translations, creating thereby one of the greatest political sensations in the history of the country. The publication covered the Democrats with confusion and angry chagrin, and it completely eclipsed popular interest in the Potter Committee's accomplishment. The deciphered dispatches disclosed that the closest friends of Mr. Tilden, instead of courting the "keen, bright sunlight of publicity," had been shrouding their movements in what they had fondly thought was impenetrable darkness; instead of placing their "absolute trust in moral forces," had been seeking to purchase the Presidency by the vulgar methods of corrupt lobbyists.

In Florida the secret agents of "trust in moral forces" were Manton Marble, who rejoiced in the cipher name "Moses," C. W. Woolley, known as "Fox," and John F. Coyle, "Max." They reported to Colonel Pelton, at Mr. Tilden's house. Frequent dispatches relating to the bribery of a member of the Canvassing Board passed between Tallahassee and New York. Finally, December 2, "Moses" telegraphed that he could obtain the "required Tilden decision of Board and certificate of Governor for $200,000." The answer was that the price was too high, for "Fox" had telegraphed that $50,000 would be enough to turn the trick. "Moses" reported to similar effect December 4, and New York replied at once authorizing acceptance of the proposition; but four words were omitted in transmission of the cipher dispatch,

making it unintelligible to Marble, who called for a repetition. This was not received until the next day, the day before the electors were to vote; and Marble, apparently in disgust, replied, "Proposition failed. . . . Tell Tilden to saddle Blackstone." [1] Woolley telegraphed, "Power secured too late." Whether Marble and Woolley could actually have completed the corrupt arrangement, had the power been secured earlier, or whether they were being played upon by shrewder men, cannot be known. There is no trustworthy evidence that in either Florida or South Carolina any members of the returning Board could really have been bought. But what is known is that Mr. Tilden's nephew authorized the immoral transaction.

"In South Carolina," as the *Tribune* summarized the evidence of the dispatches, "the purchasing agent was Smith M. Weed. He telegraphed to Colonel Pelton, on the very day of his arrival at Columbia, a proposal to buy the Canvassing Board for $30,000, to which Pelton appears to have readily assented. This figure was too low, and the negotiation, after lasting six days, was closed at the price of $80,000. It was arranged that Weed should meet a messenger at Baltimore, who was to carry the money in three packages; and he particularly requested that Colonel Pelton should act as this messenger himself. Weed accordingly arrived in Baltimore from Columbia on the 20th of November, and Pelton arrived there at the same time from New York; but again a little delay upset the scheme. Subsequently a plot was formed to buy four members of the South Carolina Legislature, for $20,000, and having thus obtained control of the State Government, to put the Hayes electors in jail, and lock them up in separate cells until the day for casting the electoral votes had passed. The result of this villainy would have been to deprive South Carolina of any vote, and to throw the choice of a President into the House of Representatives, which would have elected Tilden. The plan failed because the four members could not be bought."

The effect on the public mind of these disclosures can hardly be overstated. The doubts of the authenticity of the dispatches and of the correctness of their translation expressed by the Democratic press were too feeble to make any impression, and all their sarcasm was unavailing to dissipate the popular

[1] The name of Mr. Tilden's favorite horse.

condemnation. Neither did it avail to insist that the Republicans were just as bad. Evidence to support that contention, with all the prying and insinuations of the Potter examiners, was lacking. Mr. Tilden promptly published a card,[1] asserting that he had "no knowledge of the existence of these telegrams nor any information about them" except what he had learned from the *Tribune* publication. He had never heard of the corrupt Florida offer "until long after the 6th of December," and then "casually" when the information given him was "accompanied by the statement that the offer had been rejected." In regard to the South Carolina dispatches his precise language was: —

> I can speak of them no less definitely and positively. No one of such telegrams, either in cipher or translated, was ever shown to, or its contents made known to me. No offer or negotiation in behalf of the state canvassers of South Carolina, or of any of them, or any dealing with any of them in respect to the certificates to the electors, was ever authorized or sanctioned in any manner by me, directly or through any other person.

All which, if true, was, as the event proved, at least disingenuous and misleading. While apparently a denial of knowledge at the time of the whole transaction, it was careful not to disavow possession of information concerning such an "offer or negotiation." Furthermore, Mr. Tilden asseverated, no attempt to influence the action of any member of any Returning Board or of any elector "by such motives" "was ever entertained, considered, or tolerated by him or by anybody within his influence by his consent, or with his knowledge or acquiescence." He had had "one fixed purpose from which he had not deviated in word or act — to take no part in the shameful competition to obtain the Presidency by resort to any form of venal inducements."

And yet the fact remained, undisputed and indisputable, that confidential friends of Mr. Tilden, armed with elaborate ciphers, were for weeks bombarding Mr. Tilden's house with dispatches, submitting corrupt proposals, and that these dispatches were received and answered and the corrupt proposals accepted and sanctioned by Colonel William T. Pelton, Mr. Tilden's nephew,

[1] Mr. Marble also had the audacity to issue a letter in which he furiously denied having sent some of the dispatches credited to him. But the most damaging he could not deny, for they were in his own handwriting.

who might reasonably be supposed to be "within his influence" and to be shaping his conduct in matters of supreme importance to his uncle in deference to his known wishes. It is not strange, therefore, that the public found it difficult to accept Mr. Tilden's assertions of complete innocence as altogether conclusive. His reputation for crafty shrewdness, and the fact that he was known to have been the guiding and controlling spirit of his campaign for the Presidency, inclined average human intelligence to assume that his ignorance of what his nephew and his most intimate friends were plotting in his behalf could not have been other than wilful.[1]

As soon as Congress reassembled in December the Republicans began to demand that the Potter Committee should extend its inquiry to the cipher dispatches. The Democrats fought shy of the subject until late in January, when, with evident reluctance, they instructed the committee to make an investigation. The committee first sought assiduously to discover inculpatory Republican dispatches, but none were brought to light. A subcommittee, consisting of Messrs. Hunton, Springer, and Stenger, Democrats, and Messrs. Hiscock and Reed, Republicans, then visited New York, where the testimony of the principal men involved was taken. Colonel Pelton admitted his part in the corrupt negotiations, as did also Smith M. Weed, the latter justifying his conduct on the theory that it was right to use such means to redeem stolen goods. The righteous Marble, who had prated so fervently of reliance on "moral forces," protested that he had sent the corrupt proposals as "danger signals" — a pretension that was greeted by the committee and spectators with contemptuous laughter. All of these witnesses seemed to be suffering from a partial paralysis of memory which made it difficult for them to recall details of their activity. They could not even say that the translations of the dispatches were accurate. They had forgotten or lost the keys! Colonel Pelton and Mr. Weed

[1] "I asked Mr. Fish (the Governor) what was the opinion of the well informed in New York as to Mr. Tilden's knowledge of the cipher dispatches. He replied, that no one acquainted with Mr. Tilden's methods and character had any doubt of his knowledge and connection with them; that he was intimately acquainted with Tilden more than forty years ago; that he was bright, fond of philosophizing about politics, and always interesting; that their offices were near together." (Diary, New York, October 5, 1885.)

acknowledged that they had met in Baltimore to arrange for the completion of the latter's South Carolina bargain. But both denied that Mr. Tilden knew anything about the transaction until he was informed of it by Edward Cooper, treasurer of the Democratic National Committee, to whom Pelton applied for the necessary corruption money. Mr. Cooper testified to similar effect. Finally, Mr. Tilden himself appeared before the committee, at his own request, and made the most sweeping denial that he had had anything whatever to do with the rascally business going on under his own roof; that he had never authorized or countenanced it; and that he had no knowledge or suspicion that any corrupt schemes were attempted until after the event; except that he had been informed of the South Carolina bargain as it was about to be consummated and had peremptorily stopped the transaction, and ordered Pelton to return immediately to New York.[1]

And yet, after this bargain fell through because of Mr. Tilden's condemnation (his word being accepted), his nephew entered into another corrupt plot to control the vote in South Carolina and continued his flagitious negotiations for the purchase of the Returning Board in Florida and for buying one elector in Oregon. All which shows, at least, that Mr. Tilden was not able to influence his own nephew to place his reliance only on moral forces or to deter him from further malign activity. It is to be noted also that Mr. Tilden's abhorrence of the conduct of his intimate friends was not sufficient to cause him to sever relations with them. They remained on the same confidential footing with him as before.

While it is to be said that there was no absolute proof of Mr. Tilden's participation in or knowledge of the corrupt dealings of his nephew and his close friends, all the attendant circumstances, taken in connection with his known sagacity, make the theory of his unqualified innocence extremely difficult to entertain. It can only be accepted at the expense of his vaunted astuteness.[2]

[1] On his cross-examination by Mr. Reed, Mr. Tilden sought to defend with much sophistry his *suppressio veri* in his letter of the previous October. It cannot be said that his defense was impressive.

[2] The Democratic press accepted Mr. Tilden's testimony as completely exonerating him. The Republican refused to be convinced. For example, the New York *Times*, February, 7, 1879, said editorially: "If we are to accept the

The minority report of the investigating committee was quite within reason in declaring: "The denials of Messrs. Pelton and Tilden of the complicity of the latter cannot remove the taint of suspicion that rests upon him."

The general result of the Potter investigation, therefore, was altogether different from what its authors had hoped and expected.[1] They had gone out after wool and had returned shorn,

theory which Mr. Tilden's agents are trying to establish on the witness-stand, as they have already tried to establish it in the press and on the floor of Congress, we must believe that he was an unsuspecting and careless old man, who 'put himself in the hands of his friends,' who left everything to them, who knew nothing of what was going on in his behalf, and who, when he discovered their wickedness, reproved them with mild displeasure, and was too good-natured and too innocent to see that anything more was required of him. Nothing could be more inconsistent with Mr. Tilden's known character and with all the facts of his political career. He is, and has always been, an active, keen, vigilant manager of his own affairs, in general and in detail. He has small confidence in any one, knows to a shade the responsibility of a public man, fully appreciates the value of public esteem, and has always closely regulated every step made by or for him in his political projects. He is the last man for whom any relative or friend would bind himself to pay $50,000, $80,000, $200,000, trusting to the result to justify the bargain and secure reimbursement. In order to have been the innocent, dull, 'goody' sort of person he is represented as being throughout this game for the purchase of the Presidential office, Mr. Tilden must have changed every fibre of his character, every impulse, habit, and purpose of his mind. That he had not done so as late as the 16th of October last is abundantly proved by his adroit card of that date, in which it was evident that he had lost none of his ancient cunning, and had gained not a whit of the ingenuousness which the theory of his friends now attributes to him."

And George William Curtis, in *Harper's Weekly*, March 1, 1879, said: "Here is Mr. Tilden confessing that he did not know the monstrous rascalities that his immediate friends and political associates were carrying on in his own house. . . . It is evident from all the testimony that when Mr. Tilden learned of Pelton's visit to Baltimore to conclude the bargain, he called him back and reproved him. But there is no evidence or pretense that he took care to deprive such a dangerous fellow of further opportunities of mischief. In fact, with the exception of a scolding, Pelton occupied the same position as before, and actually continued the attempt to buy a vote. According to Mr. Tilden's account, his own action was confined to scolding his nephew and leaving him to his pranks. His conduct was that of a man who knew that such things if brought to his knowledge 'would not do.' But there is no sign of that mighty indignation with which his card last October declared that he should 'crush out' any intimation of contemplated fraud. . . . The general feeling in regard to Mr. Tilden's connection with the cipher bribery plot is undoubtedly that Pelton did not tell him what was going on. It is, of course, impossible to know what Mr. Tilden, as a shrewd and experienced politician, suspected, and what he chose not to know. But that his political conscience is very sensitive is probably not generally supposed."

[1] In a letter to Minister Noyes, April 1, 1879, a month after the committee reported, Secretary Sherman wrote: "The report of the Potter Committee,

with sides scarified and bleeding. The "keen, bright sunlight of publicity" had been turned upon the "great fraud issue," and, instead of establishing it as a pillar of fire to lead the Democrats to assured victory in 1880, had utterly annihilated it. Henceforth it played no part in the practical political thought of the period. With its disappearance, under the conditions that caused its demolition, vanished likewise Mr. Tilden's hopes of a renomination. The Democrats could never venture into a national campaign with the damning record of the cipher dispatches hanging over them like a pall. How completely men in 1880 had ceased to think of the passions and recriminations of the electoral dispute was strikingly manifested by the nomination and election by the Republicans of James A. Garfield, who had been one of the visiting statesmen in New Orleans and who had served on the Electoral Commission.[1]

Mr. Stephens's acute prediction was doubly fulfilled. He had

which you correctly pronounce to be infamous, was received in silence and was scarcely printed or noticed in the newspapers of the United States two days after its presentation to the House. It was then severely handled by the Republican press and treated with silence by the Democratic press and now it is not mentioned. . . . But for the expense and trouble of the investigation, I am rather gratified that it occurred, for the feeling of the Democratic party, over what they supposed was a fraudulent return, would have deepened into conviction, while the investigation tended on the whole to repel this suspicion." (*Recollections*, chapter XXXIII.)

[1] Writing to W. E. Chandler, September 29, 1885, to acknowledge receipt of an article by him on the "Florida Count in 1876–77," Mr. Hayes said: —

"Your statement that the failure to renominate the man claimed to be beaten by fraud gives away his case, cannot be gainsaid. It is a conclusive reply to the 'fraud cry.'

"I merely suggest that the nomination and election of Garfield emphasizes this in the most cogent way. General Garfield was a conspicuous figure in the whole business complained of. As a visiting statesman to Louisiana he reported to me, to the country, and officially to the President that the final result in Louisiana was not merely fair and just, but according to the law and equity of the case. He was placed on the Electoral Commission and on all questions voted with the majority. He was in the fullest sense responsible for the result. His nomination and election clinched the business.

"Again, General Hancock, who *was* nominated by the Democrats in 1880, was distinctly identified with the liberal wing of his party, who scouted the whole charge of fraud, and with Alexander H. Stephens he agreed. Before the controversy was ended in favor of the Republicans he published a letter in which he said he 'knew Governor Hayes well as a soldier in the war, that he would make a good President'; — and when the result was declared he did not sulk, but was among the first after inauguration who promptly paid his respects to the new President."

foreseen that the Potter investigation, with its scarcely concealed ulterior purpose, would "prove in the end either a contemptible farce or a horrible tragedy." It proved to be both, — "a contemptible farce," so far as the intent had been to make it the basis for a revolutionary attack on the White House or to render the "great fraud issue" respectable and paramount; "a horrible tragedy," so far as it affected the hopes and ambitions of Mr. Tilden.

CHAPTER XXXII

THE CONTEST WITH CONGRESS

THE closing days of the Forty-fifth Congress were enlivened and embittered by irreconcilable differences between the two parties, which resulted in the failure of passage of two of the great appropriation bills — the army bill, and the legislative, executive, and judicial bill. The Democratic majority of the House of Representatives insisted on attaching to the former bill a repeal of the law authorizing the use of the army "to keep the peace at the polls"; and to the latter bill a repeal of the jurors' test-oath law and a repeal of the federal election law. The Republican Senate refused to approve these "riders." Conference committees of the two houses were unable to effect any reconciliation, compromise, or recession. Practically every one was agreed that the jurors' test-oath law, which could be invoked in the South to keep from a federal jury any one who had participated in the least way in the War of the Rebellion, ought to be repealed; and doubtless a separate bill to that end could easily have been passed. But the Democrats were determined that all their demands should be accepted or none, and that, if the Senate refused to yield, the appropriation should fail of passage and the new Congress would have to be called in special session. Virtually, and almost in so many words, the Democratic majority of the House said to the Republican majority of the Senate: "You must yield your convictions and permit the abrogation of certain laws which you approve and we disapprove, or we will consent to no appropriations for carrying on the Government." The Republican Senators could not with self-respect suffer such attempted coercion.

In vain it was pointed out, too, that there was no immediate urgency for the legislation which the Democrats so insistently demanded. Even if at times in the past, it should be admitted, the authority to use the army to keep the peace at the polls had been abused, every one knew that nothing of the sort had

happened or would be tolerated under the present Administration. In the recent congressional elections troops had nowhere been heard of or thought of. And suppose the federal election law, providing for the appointment of federal supervisors and deputy marshals to protect the purity of congressional elections, ought to be repealed, as the Democrats contended, there was nothing in the present posture of affairs to justify the Democrats in demanding its immediate repeal under pain of putting the country to the expense and annoyance of an extra session of Congress or, least of all, of stopping the wheels of administration. The regular session of the new Congress would occur in ample time to repeal or to modify the law before there would again be occasion for invoking its authority.

In spite of all common-sense considerations the Democratic leaders stubbornly adhered to their programme. It was clear that they were manœuvring for position with reference to the Presidential canvass of the following year. They were hopelessly torn asunder on the financial issue, the men of the East standing steadfast for sound finance and the gold dollar, the men of the West and the South prevailingly affected by the fallacies of greenback and silver propagandists. They had pitifully failed to establish the "great fraud issue" as a party rallying cry. But freedom of elections — that was a plea, they thought, in which all Democrats, however much they might differ on subjects of larger practical importance, could heartily join. They even went so far at first as to dispute the constitutionality of any federal election law in the face of the explicit sanction of the Constitution [1] itself. Men might doubt the wisdom of the existing law, might argue that it had been passed for partisan reasons, and had been executed with partisan unfairness; but that Congress had the right, if it chose to exercise it, to legislate on the subject could not seriously be questioned. And the country knew that it was the scandalous frauds in elections in New York and other great cities of the North, quite as much as the violent methods employed in the South to suppress or to control the negro vote, that had led Congress to pass the law which the Democrats found so obnoxious. Even if the law was admitted to be constitutional, the Democrats insisted that it was not needed; for eighty years

[1] Article I, Section 4.

the country had got on satisfactorily without federal interference with elections. They pointed to acknowledged abuses in the administration of the law, arguing that in practice the power it gave to appoint any number of deputy marshals, all of whom were of the dominant party, had made it principally an engine of partisan effort; had made it possible for the Republicans to pay party workers out of the national treasury.

The Republicans retorted that the law was made necessary by Democratic frauds on the franchise in the North and by Democratic violence to prevent the votes of Republicans in the South, and that the Democratic attack on the law now was based not so much on principle as on the desire to make fraudulent voting easy in the Northern cities and bulldozing safe in the South.[1] Thus, crimination and recrimination sharpened the debates in Congress and produced ever-growing rancor and virulence in newspaper discussion. The bolder Democratic leaders announced that they proposed to go forward till every law placed on the statute-book by the Republicans that grew out of war conditions had been swept away. They would welcome an extra session if it was made necessary by the obstinate refusal of the Republican Senate to yield to their just demands. It was perfectly proper, they insisted, that the House of Representatives, which held the purse-strings, should deny supplies until there was a "redress of grievances," appealing to the false analogy of the English monarchical system.[2] The new Congress would be Democratic

[1] Judge William Johnston, of Cincinnati, wrote Mr. Hayes (May 15, 1879): "Our journalists do not seem to comprehend all that is involved in the present contest, or if they do, they lack the power of grappling with it. The practical object of the 'so-called' Democrats is very plain. They want to kill with impunity so many negroes as may be necessary to frighten the survivors from the polls in the South; and without let or hindrance to stuff the ballot-boxes of New York after the manner of 1868. This is plain enough, but there is a deeper design. They wish to extort from the Chief Executive a concession that the Federal Government has no power to defend the federal elections from fraud and violence; and as our old friend Deacon Storr said, when a bevy of young ladies called on him for a subscription to the erection of a Universalist Church, 'I 'd see them damned first.' If the Federal Government cannot defend the federal elections against fraud and violence, neither can it protect the treasury of the United States, the mint, the mail, or any other institution belonging to the United States, and we shall be thrown back on the Buchananian doctrine that while nobody has a right to destroy the Government, neither the Government nor anybody else has a right to defend it."

[2] "The grievances which the Commons sought to redress were not those of

in both branches. That Congress would insist on the measures now proposed, or the Government would be left without means to support the army or to maintain the executive and judicial functions. This proclamation of policy was a virtual threat of revolution. It meant, if successfully carried out and adhered to, practical assumption of sole control of the Government by the House of Representatives. If the Senate must accept any condition attached to an appropriation bill that the House insisted on, then the House could dominate Congress; and if the President must sign any appropriation bill, whatever the legislation added thereto, or have the Government come to a standstill, then our system of coördinated and independent powers was at an end and the executive and judicial departments of the Government were made subordinate to the legislative.

The Forty-fifth Congress terminated March 4, 1879. The same day President Hayes issued a proclamation summoning the new Congress to meet in special session on March 18. The partisan debate in the public prints in the interval continued fast and furious. Leaders on both sides strove by every argument to win popular approval by seeking to place the blame for the extra session on their opponents. The Republicans had the better of the argument, alike on principle and on the very practical ground that, in any event, there was no sense in precipitating an extra session in the hope of obtaining legislation which could just as well wait for the regular session. There was much speculation as to what the course of the President would be. He was not popular with the body of his own party because of his manner of dealing with the Southern situation and because of his civil service reform ideas. Conkling and Blaine and those who

law, but of the arbitrary action of the King. They asserted the right of the people against the divine right of the sovereign. Here, the Executive is as much a representative of the people as Congress. He represents them for four years, the House represents them for two, and the Senators for six. No antagonism between the different branches of our Government is contemplated by the Constitution; all are expected to act in harmony, because all represent the popular will. Besides, the House of Commons sought to bring the King to terms, not by refusing appropriations, but by refusing to levy taxes. The money, if not collected, would remain in the pockets of the people and benefit them. Here, the Democrats purposed to have all the taxes collected as usual, and then prohibit the President from spending the money for carrying on the people's Government." (Secretary Evarts, in New York *Tribune*, July 5, 1879.)

followed their lead could not forgive him for not accepting their guidance and control. It was the fashion to speak of him as lacking in firmness and backbone, when those were the very qualities he had most conspicuously and consistently displayed, both in antagonizing the forces in his own party that had brought the Grant Administration into disrepute, and in enforcing the policies of finance and of non-interference in the South which he believed to be right. Would not the precedent of his action in the South and his known views in regard to the proper use of the army incline him to accept the entire Democratic programme of repeal legislation? This question would hardly have been raised if men had recalled what the President had said, in his annual message of the previous December, apropos of the congressional elections of 1878, when the evil methods adopted in certain parts of the South to suppress the colored vote were fresh in the public mind. His words then had been: —

> The permanent pacification of the country by the complete protection of all citizens in every civil and political right continues to be of paramount interest with the great body of our people. Every step in this direction is welcomed with public approval, and every interruption of steady and uniform progress to the desired consummation awakens general uneasiness and widespread condemnation. The recent congressional elections have furnished a direct and trustworthy test of the advance thus far made in the practical establishment of the right of suffrage, secured by the Constitution to the liberated race in the Southern States. All disturbing influences, real or imaginary, had been removed from all of these States.
>
> The three constitutional amendments, which conferred freedom and equality of civil and political rights upon the colored people of the South, were adopted by the concurrent action of the great body of good citizens who maintained the authority of the National Government and the integrity and perpetuity of the Union at such a cost of treasure and life, as a wise and necessary embodiment in the organic law of the just results of the war. The people of the former slaveholding States accepted these results, and gave, in every practicable form, assurances that the Thirteenth, Fourteenth, and Fifteenth Amendments, and laws passed in pursuance thereof, should, in good faith, be enforced, rigidly and impartially, in letter and spirit, to the end that the humblest citizen, without distinction of race or color, should, under them, receive full and equal protection in person and property and in political rights and privileges. By these constitutional amendments, the southern section of the Union obtained a large increase of political power in Congress and in the Electoral College, and the country justly expected that elections

would proceed, as to the enfranchised race, upon the same circumstances of legal and constitutional freedom and protection which obtained in all the other States of the Union. The friends of law and order looked forward to the conduct of these elections, as offering to the general judgment of the country an important opportunity to measure the degree in which the right of suffrage could be exercised by the colored people and would be respected by their fellow citizens; but a more general enjoyment of freedom of suffrage by the colored people, and a more just and generous protection of that freedom by the communities of which they form a part, were generally anticipated than the record of the elections discloses. In some of those States in which the colored people have been unable to make their opinions felt in the elections, the result is mainly due to influences not easily measured or remedied by legal protection; but in the States of Louisiana and South Carolina at large, and in some particular congressional districts outside of those States, the records of the elections seem to compel the conclusion that the rights of the colored voters have been overridden, and their participation in the elections not permitted to be either general or free.

It will be for the Congress for which these elections were held to make such examinations into their conduct as may be appropriate to determine the validity of the claims of members to their seats. In the meanwhile it becomes the duty of the executive and judicial departments of the Government, each in its province, to inquire into and punish violations of the laws of the United States which have occurred. I can but repeat what I said in this connection in my last message, that whatever authority rests with me to this end I shall not hesitate to put forth; and I am unwilling to forego a renewed appeal to the legislatures, the courts, the executive authorities, and the people of the States where these wrongs have been perpetrated, to give their assistance toward bringing to justice the offenders and preventing a repetition of the crimes. No means within my power will be spared to obtain a full and fair investigation of the alleged crimes and to secure the conviction and just punishment of the guilty.

It is to be observed that the principal appropriation made for the Department of Justice at the last session contained the following clause: "And for defraying the expenses which may be incurred in the enforcement of the act approved February 28, 1876, entitled 'An act to amend an act approved May 30, 1870, entitled "An act to enforce the rights of citizens of the United States to vote in the several States of the Union. and for other purposes,"' or any acts amendatory thereof or supplementary thereto."

It is the opinion of the Attorney-General that the expenses of these proceedings will largely exceed the amount which was thus provided, and I rely confidently upon Congress to make adequate appropriations to enable the executive department to enforce the laws.

I respectfully urge upon your attention that the congressional elections, in every district, in a very important sense, are justly a matter

of political interest and concern throughout the whole country. Each State, every political party, is entitled to the share of power which is conferred by the legal and constitutional suffrage. It is the right of every citizen, possessing the qualifications prescribed by law, to cast one unintimidated ballot and to have his ballot honestly counted. So long as the exercise of this power and the enjoyment of this right are common and equal, practically as well as formally, submission to the results of the suffrage will be accorded loyally and cheerfully, and all the departments of Government will feel the true vigor of the popular will thus expressed. No temporary or administrative interests of government, however urgent or weighty, will ever displace the zeal of our people in defense of the primary rights of citizenship. They understand that the protection of liberty requires the maintenance, in full vigor, of the manly methods of free speech, free press, and free suffrage, and will sustain the full authority of Government to enforce the laws which are framed to preserve these inestimable rights. The material progress and welfare of the States depend on the protection afforded to their citizens. There can be no peace without such protection, no prosperity without peace, and the whole country is deeply interested in the growth and prosperity of all its parts.

While the country has not yet reached complete unity of feeling and reciprocal confidence between the communities so lately and so seriously estranged, I feel an absolute assurance that the tendencies are in that direction and with increasing force. The power of public opinion will override all political prejudices, and all sectional or state attachments, in demanding that all over our wide territory the name and character of citizen of the United States shall mean one and the same thing, and carry with them unchallenged security and respect.

These paragraphs clearly showed that the President had no doubt of the duty of the National Government, within its constitutional power, to guard the purity of congressional elections. The individual State or district is not alone interested in who shall represent it in the Federal Congress. All States and all districts are interested in having every member of Congress the true representative and choice of the free and uncontrolled vote of his constituency. If the attainment of this desirable end can best be secured or forwarded by federal control, the Constitution gives its sanction to legislation for that purpose. It is simply a question of policy and practical statesmanship, about which men may honestly differ, whether the entire conduct of congressional elections shall be left to state and local regulation and control, or whether the National Government shall exercise its right to interfere. The Republicans at that period were committed

conscientiously to the latter view and the President was in complete accord with his party's contention. The Democrats proclaimed their determination at all hazards to return to the old practice, under which the National Government refrained from the exercise of any authority at the polls. All the indications pointed to a fierce contest when Congress should assemble. That the President rightly apprehended the situation is proved by the following entry in his diary of March 9: —

> The Forty-fifth Congress adjourned without making provision for the support of the army and for the payment of the civil list. I therefore immediately called a special session of the Forty-sixth Congress to meet the 18th — two weeks after the adjournment of the Forty-fifth Congress.
>
> The appropriation bills were defeated by a disagreement between the House and Senate. The House insisted on the right to force its views on several questions of general legislation upon the Senate by the threat of defeating appropriations if the Senate did not yield. The Senate adhered to its own views — hence no appropriations for the purposes named. Now the question will come to me.
>
> The Senate and House in the Forty-sixth Congress, being both Democratic, will insist on the right to repeal the election laws, and in case of my refusal will put the repeal on the appropriation bills. They will stop the wheels — block the wheels of Government if I do not yield my convictions in favor of the election laws. It will be a severe, perhaps a long contest. I do not fear it. I do not even dread it. The people will not allow this revolutionary cause to triumph.

In the new Congress the Democrats had a clear majority of eight in the Senate [1] and of seven in the House.[2] The latter was considerably augmented by the Greenback contingent, who usually acted with the Democrats. Mr. Randall was reëlected Speaker, and on March 19 the President sent to Congress the following characteristically brief message: —

> Fellow Citizens of the Senate and House of Representatives:
>
> The failure of the last Congress to make the requisite appropriations for legislative and judicial purposes, for the expenses of the several executive departments of the Government, and for the support of the army, has made it necessary to call a special session of the Forty-sixth Congress.
>
> The estimates of the appropriations needed, which were sent to

[1] Or ten, if Judge Davis is counted with the Democrats.

[2] The *Tribune Almanac* gives this classification: Republicans, 130; Democrats, 149; Republican Nationals, 5; Democratic Nationals, 7; Nationals, 2.

Congress by the Secretary of the Treasury at the opening of the last session, are renewed, and are herewith transmitted to both the Senate and the House of Representatives.

Regretting the existence of the emergency which requires a special session of Congress at a time when it is the general judgment of the country that the public welfare will be best promoted by permanency in our legislation and by peace and rest, I commend these few necessary measures to your considerate attention.

RUTHERFORD B. HAYES.

WASHINGTON, March 19, 1879.

The dignity and restraint of this utterance, at a time when partisan feeling ran so high and the public mind was tense with anticipation, made an altogether favorable impression on the country. The temptation must have been great to take cognizance of the rancorous disagreement in which the Forty-fifth Congress had come to final adjournment and to expound to Congress the President's views of the controversy. It is easy to imagine what torrents of recital, reproof, argument, and exhortation to duty some of Mr. Hayes's successors would have been likely to pour out upon Congress. But he contented himself with the most concise and colorless statement of the emergency requiring the special session, whose existence he regretted; expressed the judgment that the welfare of the country would at that time "be best promoted by permanency in our legislation and by peace and rest," and commended to Congress action in harmony with that judgment. It had been better, doubtless, for the country and for the Democratic party had Mr. Hayes's counsel been followed. But the Democrats, rejoicing in the full control of Congress for the first time since Secession shattered their strength, were eager to assert their new power, and to display to the country the quality of their statesmanship.

They took up the controversy where it was left on the 4th of March. At that time announcement was made by Senator Beck that the Democratic programme in the special session would be to pass the repeal bills as separate measures. If these were signed, the appropriation bills would at once be passed. If they were vetoed, they would again be attached to the appropriation bills, and it would "be for the President to determine whether he would block the wheels of the Government and refuse to accept necessary appropriations rather than allow the representatives

of the people to repeal odious laws." It was in much this spirit of defiance and assertiveness, though many of the more sensible conservative Democrats deprecated threats of a policy so extreme, that the Democrats of Congress set about the task before them. The Democratic caucus spent much time in discussion, finally leaving to a joint committee, of which Senator Thurman was made chairman, to determine on the party's course of conduct. The situation did not seem by any means so simple, nor the prospect of party triumph and popular support of their programme so well assured, as their more ardent and aggressive leaders had been stridently proclaiming. At last it was decided to abandon the plan outlined by Senator Beck and to insist on attaching the measures in controversy to the appropriation bills as had been done in the last Congress.[1] The first bill to be pressed was the army appropriation bill with its rider repealing the law authorizing the use of the army "to keep the peace at the polls"; preference being given to this bill, no doubt, on the theory that with President Hayes's known aversion to the use of soldiers at the polls, it was less likely to incur a Presidential veto. This bill was introduced March 27. There followed a long and spirited debate in both the House and the Senate, in which the leading men of both parties participated, covering every phase of the controversy. It was nearly a month before the bill was passed (April 25) and reached the President.

Meanwhile, not only the matter of this bill, but all the issues involved in the Democratic legislative programme, had been the subject of the President's solicitous meditation, and of frequent discussion by him with the members of the Cabinet and

[1] "We are in the midst of another revolutionary movement. It is not unlike the Potter affair. Already there are signs of weakening in the camp of the ringleaders. But the speeches of last session by Beck and Thurman have committed the Senate, and the less pronounced serenade speeches of Randall and Blackburn embarrass them. Otherwise there would be an instant letting down. As it is, we may have a protracted struggle. Of course I don't believe in test oaths, and do not care to use the military. But the state rights heresy that the nation cannot enact safeguards for national elections, and the still more dangerous doctrine that a bare majority in the two houses can absorb all the powers of all the departments of the government cannot be under any conceivable circumstances approved when embodied in legislation." (From letter, written by Mr. Hayes, March 27, 1879, to William Henry Smith.)

other leaders of the party. All this had only served to clarify and confirm his almost instinctive conviction of the duty incumbent upon him. The Constitution makes the President a part of the lawmaking power. Every bill passed by the two houses of Congress before it becomes a law must be submitted to him. "If he approve he shall sign it; but if not he shall return it, with his objections, to the house in which it shall have originated." Then, unless on reconsideration two thirds of each house vote to pass the bill, it cannot become a law. Now, it was evident that the Democrats, by attaching to appropriation bills legislation which the President did not approve, or which they suspected he did not approve, were seeking to force him, as in the Forty-fifth Congress the Democrats of the House had sought to exercise similar coercion on the Senate, to surrender his constitutional prerogative on pain of a stoppage of the necessary supplies. The right to veto any bill that the President does not approve is plenary. The talk about denying supplies until there should be a redress of grievances after the manner of the British Parliament was idle, inasmuch as under our constitutional system the President is quite as much the representative of the people as is Congress. For Congress to seek by threats or coercive action to do by a bare majority what it has only the constitutional right to do by a two-thirds vote is a virtual usurpation of authority, an encroachment on the right and power of the Executive.[1] It was no new thing, to be sure, to attach riders to appropriation bills, vicious as the practice was generally admitted to be. Both parties had engaged in it. But usually when this had been done Congress and the President were in accord in regard to the proposed measure, or the advocates of the measure could command a two-thirds vote of both houses, and the method had been pursued to facilitate acceptable legislation, not to force the President to sign

[1] The temper of leading Republican statesmen is accurately reflected by the following extract from a letter to the President by Senator Hoar (May 1, 1879): "The more I reflect on the present condition of things, the more I am convinced that no change in general legislation and no intimation of willingness to make any change should be given to the Democratic majority until after the appropriation bills have passed without condition. The present attitude is menace. The extra session is menace; and you cannot tell a man who holds his clenched fist in your face what you will do when he takes it away. I am satisfied that this is the point on which Republicans are united and that this feeling is shared by many wise and conservative Democrats."

a bill that he did not approve. Congress had the undoubted right to put any legislation it pleased in an appropriation bill. The President might object to the manner of a bill, but unless he disapproved of its matter he would not be justified in refusing to sign it. Mr. Hayes's mind was clear on this score. It was equally clear that the repeal bill in the form presented was in itself objectionable; and all the more so as it implied a reassertion of the extreme state rights doctrine which the war was thought to have utterly discredited;[1] while the manner of its adoption was an attack on the independence of the Executive which his duty to the country required him to resent.

Numerous passages in the diary during March and April afford convincing testimony of the vividness of Mr. Hayes's appreciation of the crisis and of his conscientious endeavor to analyze its elements and to give just weight to conflicting considerations of their importance. A few excerpts will show their quality: —

March 18. — The House organized to-day by electing Mr. Randall Speaker. To-morrow I will send in my short message to Congress in special session. An important struggle then begins. The Democrats will attempt by coercion of the President to secure a repeal of legislation which I deem wise and important. This is to place the Executive "under the coercive dictation" of a bare majority of the two houses of Congress. This is a mode of evading the constitutional provision as to the President's participation in legislation. It is a "measure of coercion," a revolutionary measure.

I must resist it to the last extremity . . . No precedent shall be established with my consent to a measure which is tantamount to coercion of the Executive. I stand for "the equal" and constitutional "independence of the Executive." The independence of the different departments of the Government is essential to the progress and the existence of good government.

Loving the order, the peace, the perpetuity of our institutions, I must go on to the end of my term. . . .

As to some of the measures which it is sought to repeal, I would regard it a duty to approve separate bills, framed in the usual way, for that purpose. And as to all of them, I would consider with favor

[1] George William Curtis, in *Harper's Weekly* (May 31), strongly stated the prevailing conservative opinion: "The extra session . . . has revealed the Democratic party as the champion of state sovereignty as against the Union, and as toying with revolution upon an utterly false cry. It has united the Republican party enthusiastically in defense of the principle which was established by the war. It has given the Republicans a patriotic, constitutional, and conservative platform, upon which all intelligent citizens will gladly stand."

independent measures modifying, amending, and improving them, without impairing their efficiency. But presented in a way and for the purpose of coercion, I cannot even consider their merits.

March 22. — The Democratic members of the two houses of Congress have held caucuses, and appointed committees to decide the course they will take as to the measures which caused the deadlock between the House and Senate at the end of the last session. It now seems probable that they will put all of their repealing measures into one bill — a bill which will repeal the jurors' oaths, the law authorizing soldiers to keep the peace at the polls, and the law which provides for the appointment of deputy marshals to protect the polls. If presented to me I should probably feel it to be my duty to veto such a bill. The law as to the appointment of marshals to protect the supervisors and prevent violence and fraud may require extensive modifications. But that there should be such officers — officers as impartial as possible — is almost a necessity. Do not the States provide some such machinery for state elections? Is mere supervision enough? Do not the States provide for keeping the peace at the polls at state elections? Should not the nation do it at national elections? Whatever force by means of civil officers the States provide should be provided by the nation.

Experience has shown that the protection and conduct of national elections cannot safely be left to the States. I cannot consent to the repeal of the election laws enacted by Congress, unless others equally effective are substituted. . . . If national military force is not allowed to keep the peace at the polls, civil authority should be provided for that purpose. . . .

The principle of the bill is a denial of the right and duty of the nation to legislate for the security of congressional elections. The State may have its military at the polls and its police, but the nation is to be powerless. Or rather, the bill admits the right, the duty and the necessity for national supervision, but denies the power to make it effective.

March 23. — The Democrats in Congress show signs of receding from their revolutionary programme. They now talk of trying to remove the objectionable features in the election laws. But the claim still seems to be all but universal that the National Government has no right to use force, either military or civil, to protect the freedom of the elections. The States alone are to be allowed such powers. *They* may have both military and police forces, but the nation is to be confined to mere supervision, observation, and the like. This will not do. The authority of the National Government must be maintained.

The proposed compromise measure does not protect the polls from military interference. There may be soldiers, police, and the *posse comitatus* at the polls. But they must be under state authority. The National Government alone is forbidden to exhibit force to keep the

peace and protect electors. This is not the principle of the Constitution. This whole power is expressly vested in the United States. . . .

Suppose the President should say I will sign no bill on any subject of general legislation until the appropriation bills are passed?

I do not call in question the motives of those with whom I am unable to agree, but believing the tendency of this bill is to deprive the President of the share in legislation which is imposed (conferred) upon him by the Constitution, I cannot approve it. The attempt to pass a measure under a menace that the Government shall be stopped if the President declines to yield his convictions of duty has never yet succeeded — has never before been made. To consent to it is to make a radical change in the character of the Government. The House of Representatives, in case this principle is established, becomes the Government. With the sole power to originate the measures upon which the existence of the Government depends, and with the doctrine established that the House may legitimately refuse to act unless the other branches of the Government obey its commands, the House of Representatives will become a despotism with unlimited power.

March 27. — I am convinced that it is my duty to exhaust every executive authority committed to me by the Constitution and the laws to secure to every citizen having the requisite qualifications the right to cast one unintimidated ballot and to have it honestly counted.

These laws, framed as safeguards of honest elections, adopted by more than two-thirds majorities in both houses of Congress, approved by the President, carried into effect during the last eight years in many States, without serious question of their validity by any court of the United States, called into action on the application of both political parties in different States, with a very general conviction among the people that national laws are necessary to secure from violence and fraud the national elections — I cannot consent to their absolute repeal. If national laws can be framed which will better secure impartiality, less expense, or greater efficiency, I will cheerfully concur with Congress in such legislation. But if it is sought to repeal this or any other legislation and to obtain the approval of the President by the threat that Congress will grant no supplies to carry on the Government unless such approval is had, I am compelled by my convictions of duty to use every constitutional authority (means) at my command to prevent the repeal upon such terms.

Every measure should stand or fall on its own merits. This should be the fundamental principle in legislation.

March 28. — The appropriation bill for the army was introduced into the House yesterday in accordance with the caucus plan and considerable progress was made toward its passage. There is tacked to it the repeal of the right to employ the army to keep the peace at elections.

I do not regard the measure thus tacked to the army appropriation bill as of vital importance. The army, as a matter of fact, cannot and will not be used for that purpose. But the measure is objectionable. It applies to all elections, national as well as state, and denies, therefore, the right of the nation to keep the peace at the national elections which by the Constitution are under the national control, and at the same time leaves the power to the States to use state troops at the national elections. There should be no such discrimination against the national authority. If the presence of the military at elections should be forbidden, the prohibition should apply equally to all soldiers — to those of the States as well as to those of the nation. A general and equal measure framed to accomplish the purpose of preventing any soldiers, whether state or national, from interfering in the elections would meet my approval. . . .

This repeal prevents persons in the civil service of the United States — the civil as well as the military officers of the United States — from keeping the peace at the polls. It is not the military power of the United States alone, but it is the civil power also which is to be excluded from the elections.

The President's right is to exercise his discretion and judgment upon all bills presented to him, without constraint or duress laid upon him by a coördinate branch of the Government.

March 29. — This is a controversy which cannot and ought not to be compromised. The revolutionists claim that a bare majority in the House of Representatives shall control all legislation, by tacking the measures they can't pass through the Senate, or over the President's objections, to the appropriation bills, which are required to carry on the Government. They claim the right to do this under the Constitution and say it is according to the practice and precedents in England. In the presence of this claim it is idle to talk of compromises as to the particular measures which are used as riders on the appropriation bills. These measures may be wise or unwise. It is enough to say in regard to them, that, used as they are to establish a doctrine which overthrows the constitutional distribution of power between the different departments of the Government, and consolidates in the House of Representatives the whole lawmaking power of the Government, and with it the judicial and executive authority as well, we will not discuss or consider them when they are so presented. . . .

Unquestionably the true rule of legislation is that each measure should stand or fall on its own merits. This wise and salutary rule has, however, been departed from so often, and the practice has been so long established by the action of all parties, that I may not now insist upon its non-observance as a ground for withholding my approval to bills submitted to me. . . .

To tack political legislation (measures) to appropriation bills and to threaten that no appropriations will be made unless the political

measures are approved is not in my judgment constitutional conduct.

March 31. — Mr. Evarts regards the controversy as growing out of the wish of party leaders to make issues for the next Presidential election. That the Democrats began it and that the Republicans are now in it. That the Administration should keep out of it. He does n't seem to see that it is merely a new form of the old conflict between ultra States' rights and the national doctrines. The state rights men are for putting all power in local authorities. We believe the national authority should be exerted to protect elections which are national so far [as] the Constitution sanctions. We have none too many safeguards for the elections. Mr. Hoar agreed with me that in the present situation I may properly veto any appropriation bill which contains political legislation tacked to it for the purpose of compelling me to approve it under the threat that otherwise the Government shall be stopped for want of supplies, no matter what may be the merits of such legislation. In doing it the history of this extra session may be given to show the purpose of the House in attaching a political measure to an appropriation bill. They mean to obtain and establish a precedent for (which will lead to) the consolidation of all of the powers of the Government in the hands of a bare majority of the House of Representatives.

The present controversy is in no sense partisan, and it is not a question of race or color. The old question [of] States' rights always seems closely related to sectional and race conflicts, but this is chiefly as a reminiscence. No present interest of a sectional character is involved. The laws concerned are mainly employed in the densely peopled regions of the North.

The law proposed to be repealed was passed by the concurrent action of both political parties, and became a law by the approval of President Lincoln.

April 6. — The executive power to approve or return without approval, according to the conscience and judgment of the President, is a *trust*. It can't be given away without a violation of official oath. It is my duty to guard as a trust the powers conferred on the office which has devolved upon me.

No power denied to the army by this bill now belongs to the army. If there was doubt on this question the Act of June 18, 1878, removed it. The last elections for members of Congress, and all of the recent elections in all of the States, have been held without, so far as I am informed, a single complaint even of military interference.

By the time the army bill was passed, Mr. Hayes had his veto message substantially completed. He added the last paragraph the very evening that the bill reached his hands, and either read

it or communicated its substance to members of the Cabinet, who all gave it their approval.[1] It was transmitted to Congress April 29, and was as follows: —

To the House of Representatives: —

I have maturely considered the important questions presented by the bill entitled "An act making appropriations for the support of the army for the fiscal year ending June 30, 1880, and for other purposes," and I now return it to the House of Representatives, in which it originated, with my objections to its approval.

The bill provides in the usual form for the appropriations required for the support of the army during the next fiscal year. If it contained no other provisions, it would receive my prompt approval. It includes, however, further legislation, which, attached as it is to appropriations which are requisite for the efficient performance of some of the most necessary duties of the Government, involves questions of the gravest character. The sixth section of the bill is amendatory of the statute now in force in regard to the authority of persons in the civil, military, and naval service of the United States, "at the place where any general or special election is held in any State." This statute was adopted February 25, 1865, after a protracted debate in the Senate, and almost without opposition in the House of Representatives, by the concurrent votes of both of the leading political parties of the country, and became a law by the approval of President Lincoln. It was reënacted in 1874 in the Revised Statutes of the United States — sections 2002 and 5528, which are as follows: —

"Sec. 2002. No military or naval officer or other person engaged in the civil, military, or naval service of the United States shall order, bring, keep, or have under his authority or control any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States, or to keep the peace at the polls."

"Sec. 5528. Every officer of the army or navy, or other person in the civil, military, or naval service of the United States, who orders,

[1] "I read my veto message last evening to Judge Carter. He said, 'It is all gold — pure gold'; 'It will be your great act,' and the like. Schurz and Devens approved of it decidedly after hearing it all read. I told the points of it fully to Colonel Thompson, and he approved. Sherman, Key, and McCrary fully endorsed my general views before the paper was written. Mr. Evarts, on hearing my account of it Saturday evening, fully approved. I may not call a Cabinet meeting to hear it. There is betting and selling of pools here and in New York on the question whether I will sign or veto. Friendly Republicans all feel confident that I will sign. Hostile Republicans profess to be in doubt, and *hope* I will *sign*. Their number is now small, — only the implacables, — the patronage brokers." (Diary, April 28.) — It is apparent that by a slip of the pen Mr. Hayes wrote *sign* in the two sentences preceding the last when he intended to write *veto*.

brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held in any State, unless such force be necessary to repel armed enemies of the United States or to keep the peace at the polls, shall be fined not more than five thousand dollars, and suffer imprisonment at hard labor not less than three months nor more than five years."

The amendment proposed to this statute, in the bill before me, omits from both of the foregoing sections the words "or to keep the peace at the polls." The effect of the adoption of this amendment may be considered —

First. Upon the right of the United States Government to use military force to keep the peace at the elections for members of Congress; and —

Second. Upon the right of the Government, by civil authority, to protect these elections from violence and fraud.

In addition to the sections of the statute above quoted, the following provisions of law relating to the use of the military power at the elections are now in force. [The sections cited by the President were 2003 and 5529–5532 inclusive.]

The foregoing enactments would seem to be sufficient to prevent military interference with the elections. But the last Congress, to remove all apprehension of such interference, added to this body of law: section 15 of an act entitled "An act making appropriations for the support of the army for the fiscal year ending June 30, 1879, and for other purposes," approved June 18, 1878, which is as follows. [This section, which is omitted here, forbade the use of any part of the army as a *posse comitatus*.]

This act passed the Senate, after full consideration, without a single vote recorded against it on its final passage, and, by a majority of more than two thirds, it was concurred in by the House of Representatives.

The purpose of the section quoted was stated in the Senate by one of its supporters as follows: —

"Therefore I hope, without getting into any controversy about the past, but acting wisely for the future, that we shall take away the idea that the army can be used by a general or special deputy marshal, or any marshal, merely for election purposes as a posse, ordering them about the polls or ordering them anywhere else, when there is no election going on, to prevent disorders or to suppress disturbances that should be suppressed by the peace officers of the State, or, if they must bring others to their aid, they should summon the unorganized citizens, and not summon the officers and men of the army as a *posse comitatus* to quell disorders, and thus get up a feeling which will be disastrous to peace among the people of the country."

In the House of Representatives the object of the Act of 1878 was stated by the gentleman who had it in charge in similar terms. He said. [Quotation here is omitted.]

From this brief review of the subject, it sufficiently appears that,

under existing laws, there can be no military interference with the elections. No case of such interference has, in fact, occurred since the passage of the act last referred to. No soldier of the United States has appeared under orders at any place of election in any State. No complaint even of the presence of United States troops has been made in any quarter. It may, therefore, be confidently stated that there is no necessity for the enactment of section six of the bill before me, to prevent military interference with the elections. The laws already in force are all that is required for that end.

But that part of section six of this bill which is significant and vitally important, is the clause which, if adopted, will deprive the civil authorities of the United States of all power to keep the peace at the congressional elections. The congressional elections in every district, in a very important sense, are justly a matter of political interest and concern throughout the whole country. Each State, every political party, is entitled to the share of power which is conferred by the legal and constitutional suffrage. It is the right of every citizen, possessing the qualifications prescribed by law, to cast one unintimidated ballot and to have his ballot honestly counted. So long as the exercise of this power and the enjoyment of this right are common and equal, practically as well as formally, submission to the results of the suffrage will be accorded loyally and cheerfully, and all the departments of Government will feel the true vigor of the popular will thus expressed.

Two provisions of the Constitution authorize legislation by Congress for the regulation of the congressional elections. Section 4 of article 1 of the Constitution declares:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators."

The Fifteenth Amendment of the Constitution is as follows: —

"Sec. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

The Supreme Court has held that this amendment invests the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right the court declares to be exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. The power of Congress to protect this right by appropriate legislation is expressly affirmed by the court.

National legislation to provide safeguards for free and honest elections is necessary, as experience has shown, not only to secure the right to vote to the enfranchised race at the South, but also to prevent fraudulent voting in the large cities of the North. Congress has therefore

exercised the power conferred by the Constitution, and has enacted certain laws to prevent discriminations on account of race, color, or previous condition of servitude, and to punish fraud, violence, and intimidation at federal elections. Attention is called to the following sections of the Revised Statutes of the United States, viz.: —

Section 2004, which guarantees to all citizens the right to vote without distinction on account of race, color, or previous condition of servitude.

Sections 2005 and 2006, which guarantee to all citizens equal opportunity, without discrimination, to perform all the acts required by law as a prerequisite or qualification for voting.

Section 2022, which authorizes the United States Marshal and his deputies to keep the peace and preserve order at the federal elections.

Section 2024, which expressly authorizes the United States Marshal and his deputies to summon a *posse comitatus* whenever they or any of them are forcibly resisted in the execution of their duties under the law, or are prevented from executing such duties by violence.

Section 5522, which provides for the punishment of the crime of interfering with the supervisors of elections and deputy marshals in the discharge of their duties at the elections of Representatives in Congress.

These are some of the laws on this subject which it is the duty of the executive department of the Government to enforce. The intent and effect of the sixth section of this bill is to prohibit all the civil officers of the United States, under penalty of fine and imprisonment, from employing any adequate civil force for this purpose at the place where their enforcement is most necessary, namely, at the places where the congressional elections are held. Among the most valuable enactments to which I have referred are those which protect the supervisors of federal elections in the discharge of their duties at the polls. If the proposed legislation should become the law, there will be no power vested in any officer of the Government to protect from violence the officers of the United States engaged in the discharge of their duties. Their rights and duties under the law will remain, but the National Government will be powerless to enforce its own statutes. The States may employ both military and civil power to keep the peace, and to enforce the laws at state elections. It is now proposed to deny to the United States even the necessary civil authority to protect the national elections. No sufficient reason has been given for this discrimination in favor of the state and against the national authority. If well-founded objections exist against the present national election laws, all good citizens should unite in their amendment. The laws providing the safeguards of the elections should be impartial, just, and efficient. They should, if possible, be so nonpartisan and fair in their operation that the minority — the party out of power — will have no just grounds to complain. The present laws have, in practice, unquestionably conduced to the prevention of fraud and violence at the elections. In several of the States, members of different political parties have applied for the safeguards which they furnish. It is the right and duty of the National Government to enact and enforce

laws which will secure free and fair congressional elections. The laws now in force should not be repealed except in connection with the enactment of measures which will better accomplish that important end. Believing that section six of the bill before me will weaken, if it does not altogether take away, the power of the National Government to protect the federal elections by the civil authorities, I am forced to the conclusion that it ought not to receive my approval.

This section is, however, not presented to me as a separate and independent measure, but is, as has been stated, attached to the bill making the usual annual appropriations for the support of the army. It makes a vital change in the election laws of the country, which is in no way connected with the use of the army. It prohibits, under heavy penalties, any person engaged in the civil service of the United States from having any force at the place of any election prepared to preserve order, to make arrests, to keep the peace, or in any manner to enforce the laws. This is altogether foreign to the purpose of an army appropriation bill. The practice of tacking to appropriation bills measures not pertinent to such bills did not prevail until more than forty years after the adoption of the Constitution. It has become a common practice. All parties when in power have adopted it. Many abuses and great waste of public money have in this way crept into appropriation bills. The public opinion of the country is against it. The States which have recently adopted constitutions have generally provided a remedy for the evil, by enacting that no law shall contain more than one subject, which shall be plainly expressed in its title. The constitutions of more than half of the States contain substantially this provision. The public welfare will be promoted in many ways by a return to the early practice of the Government and to the true principle of legislation, which requires that every measure shall stand or fall according to its own merits. If it were understood that to attach to an appropriation bill a measure irrelevant to the general object of the bill would imperil and probably prevent its final passage and approval, a valuable reform in the parliamentary practice of Congress would be accomplished. The best justification that has been offered for attaching irrelevant riders to appropriation bills is that it is done for convenience' sake, to facilitate the passage of measures which are deemed expedient by all the branches of Government which participate in legislation. It cannot be claimed that there is any such reason for attaching this amendment of the election laws to the army appropriation bill. The history of the measure contradicts this assumption. A majority of the House of Representatives in the last Congress was in favor of section six of this bill. It was known that a majority of the Senate was opposed to it, and that as a separate measure it could not be adopted. It was attached to the army appropriation bill to compel the Senate to assent to it. It was plainly announced to the Senate that the army appropriation bill would not be allowed to pass unless the proposed amendments of the election laws were adopted with it. The Senate refused to assent to the bill on account of this irrelevant section.

Congress thereupon adjourned without passing an appropriation bill for the army, and the present extra session of the Forty-sixth Congress became necessary to furnish the means to carry on the Government.

The ground upon which the action of the House of Representatives is defended has been distinctly stated by many of its advocates. A week before the close of the last session of Congress the doctrine in question was stated by one of its ablest defenders, as follows: —

"It is our duty to repeal these laws. It is not worth while to attempt the repeal except upon an appropriation bill. The Republican Senate would not agree to, nor the Republican President sign, a bill for such repeal. Whatever objection to legislation upon appropriation bills may be made in ordinary cases does not apply where free elections and the liberty of the citizen are concerned. . . . We have the power to vote money; let us annex conditions to it, and insist upon the redress of grievances."

By another distinguished member of the House it was said: —

"The right of the representatives of the people to withhold supplies is as old as English liberty. History records numerous instances where the Commons, feeling that the people were oppressed by laws that the Lords would not consent to repeal by the ordinary methods of legislation, obtained redress at last by refusing appropriations unless accompanied by relief measures."

That a question of the gravest magnitude, and new in this country, was raised by this course of proceeding, was fully recognized also by its defenders in the Senate. It was said by a distinguished Senator: —

"Perhaps no greater question in the form we are brought to consider it was ever considered by the American Congress in time of peace; for it involves not merely the merits or demerits of the laws which the House bill proposes to repeal, but involves the rights, the privileges, the powers, the duties of the two branches of Congress and of the President of the United States. It is a vast question; it is a question whose importance can scarcely be estimated; it is a question that never yet has been brought so sharply before the American Congress and the American people as it may be now. It is a question which sooner or later must be decided, and the decision must determine what are the powers of the House of Representatives under the Constitution, and what is the duty of that House in the view of the framers of that Constitution according to its letter and its spirit.

"Mr. President, I should approach this question, if I were in the best possible condition to speak and to argue it, with very grave diffidence and certainly with the utmost anxiety, for no one can think of it as long and as carefully as I have thought of it without seeing that we are at the beginning perhaps of a struggle that may last as long in this country as a similar struggle lasted in what we are accustomed to call the mother land. There the struggle lasted for two centuries before it was ultimately decided. It is not likely to last so long here, but it may last until every man in this chamber is in his grave. It is the question whether or no the

House of Representatives has a right to say: 'We will grant supplies only upon condition that grievances are redressed. We are the representatives of the taxpayers of the Republic. We, the House of Representatives, alone have the right to originate money bills; we, the House of Representatives, have alone the right to originate bills which grant the money of the people; the Senate represents States; we represent the taxpayers of the Republic; we, therefore, by the very terms of the Constitution, are charged with the duty of originating the bills which grant the money of the people. We claim the right, which the House of Commons in England established, after two centuries of contest, to say that we will not grant the money of the people unless there is a redress of grievances.'"

Upon the assembling of this Congress, in pursuance of a call for an extra session, which was made necessary by the failure of the Forty-fifth Congress to make the needful appropriations for the support of the Government, the question was presented whether the attempt made in the last Congress to engraft by construction a new principle upon the Constitution should be persisted in or not. This Congress has ample opportunity and time to pass the appropriation bills, and also to enact any political measures which may be determined upon in separate bills by the usual and orderly methods of proceeding. But the majority of both houses have deemed it wise to adhere to the principle asserted and maintained in the last Congress by the majority of the House of Representatives. That principle is, that the House of Representatives has the sole right to originate bills for raising revenue, and therefore has the right to withhold appropriations upon which the existence of the Government may depend unless the Senate and the President shall give their assent to any legislation which the House may see fit to attach to appropriation bills. To establish this principle is to make a radical, dangerous, and unconstitutional change in the character of our institutions. The various departments of the Government, and the army and the navy, are established by the Constitution, or by laws passed in pursuance thereof. Their duties are clearly defined, and their support is carefully provided for by law. The money required for this purpose has been collected from the people, and is now in the Treasury, ready to be paid out as soon as the appropriation bills are passed. Whether appropriations are made or not, the collection of the taxes will go on. The public money will accumulate in the Treasury. It was not the intention of the framers of the Constitution that any single branch of the Government should have the power to dictate conditions upon which this treasure should be applied to the purposes for which it was collected. Any such intention, if it had been entertained, would have been plainly expressed in the Constitution.

That a majority of the Senate now concurs in the claim of the House adds to the gravity of the situation, but does not alter the question at issue. The new doctrine, if maintained, will result in a consolidation of unchecked and despotic power in the House of Representatives. A bare majority of the House will become the Government. The Executive will

no longer be, what the framers of the Constitution intended, an equal and independent branch of the Government. It is clearly the constitutional duty of the President to exercise his discretion and judgment upon all bills presented to him without constraint or duress from any other branch of the Government. To say that a majority of either or both of the houses of Congress may insist on the approval of a bill under the penalty of stopping all of the operations of the Government for want of the necessary supplies, is to deny to the Executive that share of the legislative power which is plainly conferred by the second section of the seventh article of the Constitution. It strikes from the Constitution the qualified negative of the President. It is said that this should be done because it is the peculiar function of the House of Representatives to represent the will of the people. But no single branch or department of the Government has exclusive authority to speak for the American people. The most authentic and solemn expression of their will is contained in the Constitution of the United States. By that Constitution they have ordained and established a Government whose powers are distributed among coördinate branches, which, as far as possible, consistently with a harmonious coöperation, are absolutely independent of each other. The people of this country are unwilling to see the supremacy of the Constitution replaced by the omnipotence of any department of the Government.

The enactment of this bill into a law will establish a precedent which will tend to destroy the equal independence of the several branches of the Government. Its principle places not merely the Senate and the Executive, but the Judiciary also, under the coercive dictation of the House. The House alone will be the judge of what constitutes a grievance, and also of the means and measures of redress. An act of Congress to protect elections is now the grievance complained of. But the House may on the same principle determine that any other act of Congress, a treaty made by the President, with the advice and consent of the Senate, a nomination or appointment to office, or that a decision or opinion of the Supreme Court, is a grievance, and that the measure of redress is to withhold the appropriations required for the support of the offending branch of the Government.

Believing that this bill is a dangerous violation of the spirit and meaning of the Constitution, I am compelled to return it to the House in which it originated without my approval. The qualified negative with which the Constitution invests the President is a trust that involves a duty which he cannot decline to perform. With a firm and conscientious purpose to do what I can to preserve unimpaired the constitutional powers and equal independence, not merely of the Executive, but of every branch of the Government, which will be imperilled by the adoption of the principle of this bill, I desire earnestly to urge upon the House of Representatives a return to the wise and wholesome usage of the earlier days of the Republic, which excluded from appropriation bills all irrelevant legislation. By this course you will inaugurate an important

reform in the method of congressional legislation; your action will be in harmony with the fundamental principles of the Constitution and the patriotic sentiment of nationality which is their firm support; and you will restore to the country that feeling of confidence and security and the repose which are so essential to the prosperity of all of our fellow citizens.

RUTHERFORD B. HAYES.

EXECUTIVE MANSION, April 29, 1879.

The essential features of the veto were: (1) That so far as the repeal related to the use of the army at the polls it was unnecessary, inasmuch as the body of laws already in existence, and especially the *posse comitatus* law passed the year before, was amply sufficient to prevent any abuse. The fact that proposed legislation was unnecessary might not of itself justify a veto. But (2) the elision of the words, "or to keep the peace at the polls," from the two sections of the law in controversy, while the sections were themselves reënacted, left the law in such shape that even the civil officers of the National Government were forbidden to use armed men at the polls to suppress disorder or to enforce their authority. Thus civil officers of the Government would be stripped of necessary power to enforce federal laws, which the obligation of their office, their sworn duty, required them to enforce. Such paralysis of ability to enforce laws which he was sworn to execute, the President could not sanction. (3) The history of this measure could not be ignored. The objectionable sections were attached to the army appropriation bill, to which they were irrelevant, on the assumption by the House of Representatives that it had the right to withhold necessary appropriations, "unless the Senate and the President shall give their assent to any legislation which the House may see fit to attach to appropriation bills." To let this bill become a law, therefore, would be to "establish a precedent which would tend to destroy the equal independence of the several branches of the Government." The President could not be true to his sense of duty and give his sanction to such a "dangerous violation of the spirit and meaning of the Constitution."

The clear and forceful reasoning of the President, presented in calm, dispassionate phraseology, was accepted as conclusive by the sober sentiment of the country, already weary of the acrimonious debate in Washington. The Republicans for the moment

were united in cordial support of the President. Even the carping of the implacables gave way for the nonce to approbation and praise. The Democrats had no right to assume surprise at the veto. There had been abundant warnings of what they might expect. They, however, professed to be aggrieved. Chagrin would better express their emotion. Their threats had not frightened the President in the least, and public discussion was making it clearer every day that the overwhelming sentiment of the country would bitterly condemn their party if they had the hardihood to carry their threats into execution. But they were not ready as yet to give up the contest. They immediately framed and quickly passed a separate bill which they thought would save the principle they were contending for and would be free of the objections found by the President in the vetoed measure. This bill read as follows: —

Be it enacted, etc., That it shall not be lawful to bring to or employ, at any place where a general or special election is being held in a State, any part of the army or navy of the United States, unless such force be necessary to repel the armed enemies of the United States, or to enforce Section 4, Article 4, of the Constitution of the United States, and the laws made in pursuance thereof, on application of the Legislature or Executive of the State where such force is to be used; and so much of all laws as is inconsistent herewith is hereby repealed.

This bill likewise met with the President's prompt disapproval, in a veto message of May 12.[1] Avowing "the opinion that any military interference whatever at the polls is contrary to the spirit of our institutions," declaring that "no soldiers either of the Union or of a State should be present at the polls" for ordinary police duty (a rule of which there had been and would be no violation under his Administration), the President still saw in this bill "a dangerous departure from long-settled and important constitutional principles." The sweeping "prohibition against the employment of military force at the polls," except in two

[1] "The Democrats have not been conservative or, as I think, politically wise. They have passed an affirmative new measure which repeals for the day of the election many valuable laws. They call them war measures, and seem to think that as the war is ended these laws should now be mustered out. We are ready to muster out the soldiers, but we don't muster out the flag nor the powers of the law and of the Constitution which enabled us to gain the victory. We don't muster in again the evils that caused the war. Besides, it is for the victors to say what shall remain — not for the vanquished." (Diary, May 11, 1879.)

specified cases, would "seriously impair the efficiency of the executive department of the Government." From the very beginning of the Government the President had been authorized in certain contingencies to use military force "to enforce the faithful execution of the laws of the United States." Now, to quote the exact language of the President: —

> This ancient and fundamental law has been in force from the foundation of the Government. It is now proposed to abrogate it on certain days and at certain places. In my judgment no fact has been produced which tends to show that it ought to be repealed or suspended for a single hour at any place in any of the States or Territories of the Union. All the teachings of experience in the course of our history are in favor of sustaining its efficiency unimpaired. On every occasion when the supremacy of the Constitution has been resisted, and the perpetuity of our institutions imperilled, the principle of this statute, enacted by the fathers, has enabled the Government of the Union to maintain its authority and to preserve the integrity of the nation.
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> At the most critical periods of our history, my predecessors in the executive office have relied on this great principle. It was on this principle that President Washington suppressed the whiskey rebellion in Pennsylvania in 1794. In 1806, on the same principle, President Jefferson broke up the Burr conspiracy by issuing "orders for the employment of such force, either of the regulars or of the militia, and by such proceedings of the civil authorities, . . . as might enable them to suppress effectually the further progress of the enterprise." And it was under the same authority that President Jackson crushed nullification in South Carolina, and that President Lincoln issued his call for troops to save the Union in 1861. On numerous other occasions of less significance, under probably every Administration, and certainly under the present, this power has been usefully exerted to enforce the laws, without objection by any party in the country, and almost without attracting public attention.
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> The great elementary constitutional principle which was the foundation of the original statute of 1792, and which has been its essence in the various forms it has assumed since its first adoption, is, that the Government of the United States possesses under the Constitution, in full measure, the power of self-protection by its own agencies, altogether independent of state authority, and, if need be, against the hostility of State Governments. It should remain embodied in our statutes, unimpaired, as it has been from the very origin of the Government. It should be regarded as hardly less valuable or less sacred than a provision of the Constitution itself.
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> There are many other important statutes containing provisions that are liable to be suspended or annulled at the times and places of holding elections, if the bill before me should become a law. I do not undertake

to furnish a list of them. Many of them — perhaps the most of them — have been set forth in the debates on this measure. They relate to extradition, to crimes against the election laws, to quarantine regulations, to neutrality, to Indian reservations, to the civil rights of citizens, and to other subjects. In regard to them all, it may be safely said, that the meaning and effect of this bill is to take from the general Government an important part of its power to enforce the laws.

Another grave objection to the bill is its discrimination in favor of the state and against the national authority. The presence or employment of the army or navy of the United States is lawful under the terms of this bill at the place where an election is being held in a State to uphold the authority of a State Government then and there in need of such military intervention, but unlawful to uphold the authority of the Government of the United States then and there in need of such military intervention. Under this bill the presence and employment of the army or navy of the United States would be lawful, and might be necessary to maintain the conduct of a state election against the domestic violence that would overthrow it, but would be unlawful to maintain the conduct of a national election against the same local violence that would overthrow it. This discrimination has never been attempted in any previous legislation by Congress, and is no more compatible with sound principles of the Constitution or the necessary maxims and methods of our system of government on occasions of elections than at other times. . . .

Under the sweeping terms of the bill, the National Government is effectually shut out from the exercise of the right, and from the discharge of the imperative duty, to use its whole executive power whenever and wherever required for the enforcement of its laws at the places and times where and when its elections are held. The employment of its organized armed forces for any such purpose would be an offense against the law unless called for by, and therefore upon permission of, the authorities of the State in which the occasion arises. What is this but the substitution of the discretion of the State Governments for the discretion of the Government of the United States as to the performance of its own duties? In my judgment, this is an abandonment of its obligations by the National Government — a subordination of national authority, and an intrusion of state supervision over national duties, which amounts, in spirit and tendency, to state supremacy.

Though I believe that the existing statutes are abundantly adequate to completely prevent military interference with the elections, in the sense in which the phrase is used in the title of this bill and is employed by the people of this country, I shall find no difficulty in concurring in any additional legislation limited to that object which does not interfere with the indispensable exercise of the powers of the Government under the Constitution and laws.

Meanwhile, debate was proceeding on the legislative, executive, and judicial bill with its political riders. The Democrats

had receded from their original extreme position. They no longer demanded the complete abrogation of the federal election law; thus acknowledging the constitutionality of such legislation. What they sought now was so to modify its terms as to divest it of vigor and efficiency. Federal supervision was to remain, but its function was reduced to mere observation and report. Mr. Hayes was firmly convinced that the law as it existed should be strengthened and not weakened.[1] He had indicated to Congress his willingness to sanction any amendments to the law that should make its operation simpler, more economical, and less liable to partisan manipulation. He could not approve changes that were equivalent to complete emasculation of its purpose, and so declared himself in a veto message of May 29. "If this bill is approved," he said, "only the shadow of the authority of the United States at the national elections will remain — the substance will be gone. The supervision of the elections will be reduced to a mere inspection, without authority on the part of the supervisors to do any act whatever to make the election a fair one. All that will be left to the supervisors is the permission to have such oversight of the elections as political parties are in the habit of exercising without any authority of law, in order to prevent their opponents from obtaining unfair advantages. The object of the bill is to destroy any control whatever by the United States over the congressional elections."

He showed the constitutional authority for federal election laws, restated the reasons which had led to their enactment, chief of which was frauds in New York City, and reached the conclusion and climax of his message in these words: —

> This bill recognizes the authority and duty of the United States to appoint supervisors to guard and scrutinize the congressional elections,

[1] "My veto [of May 12] has been well received. I am congratulated by Senators and Representatives, and by people of all sorts. I am glad to have had an opportunity to do something for the true principles of the Constitution. My first veto maintained the prerogatives of the Executive, and the separate and independent authority of each branch of it against the grasping ambition of the House of Representatives. The second maintained the right of the executive branch to exercise power enough to enforce the laws, and now I am likely on the civil — the legislative, judicial, and executive — appropriation bill, with its rider repealing the election laws, to have an opportunity to do something for purity and fairness in elections." (Diary, May 15.)

but it denies to the Government of the United States all power to make its supervision effectual. The great body of the people of all parties want free and fair elections. They do not think that a free election means freedom from the wholesome restraints of law, or that the place of an election should be a sanctuary for lawlessness and crime. On the day of an election peace and good order are more necessary than on any other day of the year. On that day the humblest and feeblest citizens, the aged and the infirm, should be, and should have reason to feel that they are, safe in the exercise of their most responsible duty, and their most sacred right as members of society, their duty and their right to vote. The constitutional authority to regulate the congressional elections which belongs to the Government of the United States, and which it is necessary to exert to secure the right to vote to every citizen possessing the requisite qualifications, ought to be enforced by appropriate legislation. So far from public opinion in any part of the country favoring any relaxation of the authority of the Government in the protection of elections from violence and corruption, I believe it demands greater vigor, both in the enactment and in the execution of laws framed for that purpose. Any oppression, any partisan partiality, which experience may have shown in the working of existing laws, may well engage the careful attention both of Congress and of the Executive, in their respective spheres of duty, for the correction of these mischiefs. As no congressional elections occur until after the regular session of Congress will have been held, there seems to be no public exigency that would preclude a seasonable consideration at that session of any administrative details that might improve the present methods designed for the protection of all citizens in the complete and equal exercise of the right and power of the suffrage at such elections. But with my views, both of the constitutionality and of the value of the existing laws, I cannot approve any measure for their repeal except in connection with the enactment of other legislation which may reasonably be expected to afford wiser and more efficient safeguards for free and honest congressional elections.

The Democrats were growing weary of the contest. The impatience and criticisms of the country could not fail to influence their temper. Nor could they fail to perceive that the opportunity they had afforded to the President and the way he had met it had immensely increased his popularity and given the Republicans new coherence and aggressiveness. They did not have the courage to carry out — if they ever really intended to do so — the plan of refusing appropriations unless they could have their way. They were convinced that the President would not yield and that the better sentiment of the country was behind him. Now their problem was to find some way to act that should not

appear to be a complete backdown.[1] They spent the rest of the special session in trying to "save their face." First, they passed the army appropriation bill without its objectionable rider, being obliged to content themselves with an innocuous and practically meaningless proviso forbidding the use of the army as a police force at the polls. This received the President's prompt approval. Then they divided the legislative, executive, and judicial bill into two measures. The first made appropriations for the legislative and executive expenses of the Government in the regular form. This was passed and became a law. The second made appropriations for the judicial department. To this were attached riders repealing the jurors' test-oath law, and forbidding the use of any of the money appropriated in executing the federal election law.[2] Mr. McMahon, in reporting the bill from the

[1] "It is now reported that the Joint Democratic Caucus Committee has agreed on a plan of operations with regard to the deadlock. It is in effect a backdown. But it does relieve the party to some extent from its awkward predicament. It may in some of its features be quite as objectionable as former measures. This will depend on details which I must carefully examine. . . .

"I probably could not veto a bill merely because it fails to make all the appropriations which are required. I should not oppose a bill which contains nothing but what is right. If it is not enough, and the omission is important, I may call a special session to supply the deficiency. But if their new bills deprive by prohibition the Executive of authority which belongs to him by existing laws or constitutional provisions, it will require a veto." (Diary, June 2, 1879.)

"The Democrats, instead of squarely backing out of their awkward position or manfully sticking to it, seem disposed to creep out of it in a way to enable them to say that they have gained something by their contest. They can't repeal the laws they object to. They therefore propose to cripple the Government in its efforts to enforce them — to make it impossible to enforce them — to make it unlawful to enforce them. The laws remain unrepealed. The Democratic plan is to prevent their enforcement." (Diary, June 4, 1879.)

[2] "The judicial bill is the only one I have any doubt about. It leaves the election laws without the means for their enforcement. If that was all, there would be no ground for a veto. Perhaps it goes further. I must look into it. It prohibits any officer or any department from incurring any obligation or contracting any liability. This is intended to nullify the law, leaving it unrepealed. Does it have that effect? May I direct the marshals to appoint deputies, notwithstanding this provision? May the courts appoint supervisors? May these officers act? If not, it amounts to a repeal of the law.

"No duty devolving on Congress is plainer than the duty to provide the necessary means by suitable appropriations for the enforcement of the laws. Title 26 is in force. It provides that — it makes it the duty of — certain officers to make appointments of deputy marshals and supervisors. The duties of these officers remain. By this bill it is provided that they shall not be performed. Their performance involves the liability of the United States to pay such officers. All

Committee on Appropriations, frankly stated that the purpose of this prohibition was "to prevent the enforcement of the supervisors and deputy-marshals clauses of the Revised Statutes." Mr. Hayes could no more sanction the annulment of the federal election laws by indirection than by repeal.[1] He could not approve a bill which made it impossible for him to execute laws which he had sworn to execute. His veto message (June 23) declared his position with convincing clearness: —

Under the existing laws, the failure of Congress to make the appropriations required for the execution of the provisions of the election laws would not prevent their enforcement. The right and duty to appoint the general and special deputy marshals which they provide for would still remain, and the executive department of the Government would also be empowered to incur the requisite liability for their compensation. But the second section of this bill contains a prohibition not found in any previous legislation. Its design is to render the election laws inoperative and a dead letter during the next fiscal year. It is

officers and each department are forbidden to do this. It is tantamount to a repeal of the law for this year.

"The execution of the law is required during the next fiscal year in but a few districts and is of comparatively small importance. But it is wrong in principle." (Diary, June 11, 1879.)

[1] "The congressional contest with the Executive is near its end for the present. The legislative bill is in such a shape that I can sign it without a question. The bill is awkwardly framed, but there is no objection to the appropriations which it contains; it can be executed, and the fact that proper appropriations are omitted is not a ground for a veto. The army bill is supported by the great majority of the Republicans in Congress, by the Republican press, and by the Administration. It contains a clause which prevents the army from being used as a police force at the polls. The rule as to the use of the military at elections was stated by me in the veto message on the army bill. The doctrine there laid down has been received as sound by the Republicans of the country, and I think also by Democrats generally who are not blinded by the partisan excitement of the time. It is the business of 'the police,' the civil authorities, to make arrests of the disorderly and of repeaters and of others guilty of violating the election laws at the polls. They will thus keep the peace at the elections. The marshals are authorized to appoint deputies enough with ample authority to do this under ordinary circumstances. If these civil authorities are unable to do this the military will aid them in all cases — not at all as a police, but as part of the military power of the country. They may be used whenever it is necessary to enforce the laws. That is to say, whenever the opposition to their enforcement is too powerful for the ordinary police or other civil officers to overcome, the military may be employed to suppress such opposition. This was the law when Congress met. It is the law now. It has not been changed. Before the assembling of the extra session my views were correctly published in the *Republican* [March 11] of this city. The action taken since by me is in strict conformity with that publication." (Diary, June 20.)

sought to accomplish this by omitting to appropriate money for their enforcement, and by expressly prohibiting any department or officer of the Government from incurring any liability under any of the provisions of title twenty-six of the Revised Statutes authorizing the appointment or payment of general or special deputy marshals for service on election days, until an appropriation sufficient to pay such liability shall have first been made.

The President is called upon to give his affirmative approval to positive enactments which in effect deprive him of the ordinary and necessary means of executing laws still left in the statute-book, and embraced within his constitutional duty to see that the laws are executed. If he approves the bill, and thus gives to such positive enactments the authority of law, he participates in the curtailment of his means of seeing that the law is faithfully executed while the obligation of the law and of his constitutional duty remains unimpaired.

The appointment of special deputy marshals is not made by the statute a spontaneous act of authority on the part of any executive or judicial officer of the Government, but is accorded as a popular right of the citizens to call into operation this agency for securing the purity and freedom of elections in any city or town having twenty thousand inhabitants or upward. Section 2021 of the Revised Statutes puts it in the power of any two citizens of such city or town to require of the marshal of the district the appointment of these special deputy marshals. Thereupon the duty of the marshal becomes imperative, and its non-performance would expose him to judicial mandate or punishment, or to removal from office by the President, as the circumstances of his conduct might require. The bill now before me neither revokes this popular right of the citizens nor relieves the marshal of the duty imposed by law, nor the President of his duty to see that this law is faithfully executed.

I forbear to enter again upon any general discussion of the wisdom and necessity of the election laws, or of the dangerous and unconstitutional principle of this bill, that the power vested in Congress to originate appropriations involves the right to compel the Executive to approve any legislation which Congress may see fit to attach to such bills, under the penalty of refusing the means needed to carry on essential functions of the Government. My views on these subjects have been sufficiently presented in the special messages sent by me to the House of Representatives during their present session. What was said in those messages I regard as conclusive as to my duty in respect to the bill before me. The arguments urged in those communications against the repeal of the election laws, and against the right of Congress to deprive the Executive of that separate and independent discretion and judgment which the Constitution confers and requires, are equally cogent in opposition to this bill. This measure leaves the powers and duties of the supervisors of elections untouched. The compensation of those officers is provided for under permanent laws, and no liability for which an appropriation is now required would, therefore, be incurred by their

appointment. But the power of the National Government to protect them in the discharge of their duty at the polls would be taken away. The States may employ both civil and military power at the elections, but by this bill even the civil authority to protect the congressional elections is denied to the United States. The object is to prevent any adequate control by the United States over the national elections by forbidding the payment of deputy marshals, the officers who are clothed with authority to enforce the election laws.

The fact that these laws are deemed objectionable by a majority of both houses of Congress is urged as a sufficient warrant for this legislation.

There are two lawful ways to overturn legislative enactments: One is their repeal; the other is the decision of a competent tribunal against their validity. The effect of this bill is to deprive the executive department of the Government of the means to execute laws which are not repealed, which have not been declared invalid, and which it is, therefore, the duty of the executive and of every other department of the Government to obey and to enforce.

I have, in my former message on this subject, expressed a willingness to concur in suitable amendments for the improvement of the election laws; but I cannot consent to their absolute and entire repeal, and I cannot approve legislation which seeks to prevent their enforcement.

Thereupon a bill was passed and approved providing for all the expenses of the judicial department except for the payment of the fees of United States marshals and their deputies.[1] Provision for the latter was made in a separate bill in which was embodied the same prohibition that had caused the veto, June 23, of the general judicial bill.[2] The President at once (June 30) returned it to Congress with his disapproval, emphasizing the importance of the duties of marshals and briefly restating the reasons for his action. He urged in conclusion: —

[1] The bill contained also a repeal of the jurors' test oath, which practically all parties favored; and a provision for non-partisan juries.

[2] "My fourth veto message at the present session was sent to the House Monday. It seems to be well received by party friends and has certainly thrown our adversaries into the greatest confusion. In a vote yesterday in the House our side, on the question of adjournment without appropriations, had a majority of 22! Seventeen Democrats and all of the Greenbackers united with our friends.

"Judge Thurman has backed out of his 'vast question' doctrine, and is one of the most urgent advocates of appropriations without any riders! It is not yet decided, after several caucuses, what to do. But the probability seems to be that the Democrats will pass a judicial expenses [bill] without the objectionable section — the second section, and also without any provision for marshals or their deputies. Another bill for the marshals, with the objectionable rider attached, will also be sent to me." (Diary, June 25, 1879.)

The object manifestly is to place before the Executive this alternative: Either to allow necessary functions of the public service to be crippled or suspended for want of the appropriations required to keep them in operation, or to approve legislation which in official communications to Congress he has declared would be a violation of his constitutional duty. Thus, in this bill the principle is clearly embodied that, by virtue of the provision of the Constitution which requires that "all bills for raising revenue shall originate in the House of Representatives," a bare majority of the House of Representatives has the right to withhold appropriations for the support of the Government unless the Executive consents to approve any legislation which may be attached to appropriation bills. I respectfully refer to the communications on this subject which I have sent to Congress during its present session for a statement of the grounds of my conclusions, and desire here merely to repeat that, in my judgment, to establish the principle of this bill is to make a radical, dangerous, and unconstitutional change in the character of our institutions.

Along with this veto message the President sent a special message to Congress urging "the immediate necessity of making some adequate provision" for the payment of marshals. "All appropriations," he reminded Congress, "to provide for the performance of these indispensable duties expires to-day"; and he added: —

It is impossible for me to look without grave concern upon a state of things which will leave the public service thus unprovided for and the public interests thus unprotected, and I earnestly urge upon your attention the necessity of making immediate appropriations for the maintenance of the service of the marshals and deputy marshals for the fiscal year which commences to-morrow.

But Congress refused to act and adjourned on the following day. The Democrats, who had started out in March with the boast that they would wipe all the federal election laws off the statute-book or block the wheels of government, had been forced, by the President's firmness and by indignant public opinion, to recede, step by step, in their efforts to make political capital out of the unnecessary special session they had imposed on the country, till when they returned to their homes in July they had nothing to show for all their labors but the refusal to appropriate a few hundred thousand dollars to pay marshals' fees.[1] Verily,

[1] "Was there ever anything more ridiculous? They began by saying to the President, 'Sign our political measures or we will withhold $46,000,000 of the

the mountain had labored and had brought forth according to the proverb. The President thought it hardly worth while to call Congress together again to supply the deficiency it had deliberately created. Embarrassing as the situation was to them, the marshals and their deputies continued to perform their duties, trusting to the future for their pay. And their trust was not in vain.[1]

The President emerged from the long contest bearing all the honors of the successful maintenance unimpaired of the executive prerogatives, and of the vindication of the right of the Federal Government to exercise plenary power in the execution of its own laws.[2] Throughout the controversy, however rancorous the

appropriations for running the Government.' 'That does not frighten me,' replied the President; 'I shall go ahead and do my duty just the same.' 'Very well,' said the Democrats, 'if that's your intention we will keep back $20,000,000.' Finding the President still unmoved, they cried out, 'If you don't back down, we will refuse you $10,000,000.' As this threat had no effect, they finally held back $600,000 and ran away. It was a remarkably well-developed case of the small end of the horn." (Secretary Evarts, in New York *Tribune*, July 5, 1879.)

[1] Proper provision was made for the marshals and their deputies at the next session of Congress. There was a prolonged debate again over the propriety of federal election laws, and the Democratic majority first tacked a rider to the appropriation bill modifying the law affecting the special deputy marshals. This the President vetoed May 4, 1880, saying: "I am firmly convinced that appropriation bills ought not to contain any legislation not relevant to the application or expenditure of the money thereby appropriated, and that by a strict adherence to this principle an important and much-needed reform will be accomplished. Placing my objection to the bill on this feature of its frame, I forbear any comment upon the important general and permanent legislation which it contains, as matter for specific and independent consideration." Thereupon Congress granted the appropriation without conditions.

[2] "The President has, it is generally admitted, been the greatest and perhaps the only real gainer by the tedious extra session. It has only made him a force in his party. The Administration has become in the last three months the head of the party, and though there are still vigorous malcontents like Blaine and Conkling, who stir up a perpetual revolt against the President they put into the White House, Mr. Hayes has now the great body of Republican Representatives standing by him. . . . There is a growing impression among the Republicans that Mr. Hayes is a remarkably cool hand; patient, wary, not capable of getting scared, a shrewd and long-headed politician, and a far wiser and safer party leader than the irate Senators who have vainly battled against him so often." (Special correspondence, Washington, of New York *Herald*, dated July 3, 1879.)

"A shrewd observer in Washington said, at the adjournment of Congress, that the President had been the only gainer by the extra session, and it is undoubtedly true that his clear and terse veto messages, temperately stating the

partisan debate in Congress and press became, he preserved unruffled dignity of demeanor and equability of temper. While his veto messages presented his views with utmost plainness of speech and directness of argument, they were free from bitterness, or aspersion of motives, or denunciation, being addressed to the reason and not to the passions of men. At no other time during his career was Mr. Hayes the recipient of so great popular acclaim and applause. All the forces of his party were for a time, if not enthusiastic, at least cordial, in supporting and commending him. The more intelligent of the Democratic papers, like the Louisville *Courier-Journal*, recognized the blundering tactics of the Democratic congressional leaders, and saw that these had resulted, not, as had been hoped, in giving the party an issue, but in uniting the Republican party and in strengthening the President's hold upon the conservative opinion of the country.[1] It is no wonder that Mr. Hayes felt deep satisfaction, even elation of spirit, when two days after the adjournment (July 3) he reviewed in his diary the accomplishment of the special session:—

I am now experiencing one of the "*ups*" of political life. Congress adjourned on the 1st after a session of almost seventy-five days mainly

position of the Republican party in the pending debate, have greatly enlightened the public mind, have been of the utmost service to the party, and have deepened the general regard for the Administration. . . . The extra session is hardly to be regretted, since it has turned public attention to questions so fundamental, and has given opportunity for so admirable a defense of the sound American and Republican principles as those which the President has maintained." (George William Curtis, *Harper's Weekly*, July 26, 1879.)

[1] The Republicans were successful all over the North in the state elections of the following November, much to the gratification of the President, who felt that his course had been popularly approved. In his diary (November 5) he wrote: "The Republican victory yesterday was complete everywhere in the North except in New York. In New York we carry the Legislature. This secures the election of a Republican Senator in the place of Kernan. We also elect the Governor by reason of the bolting of the Tammany Democrats who refused to support the nominee of Mr. Tilden — Governor Robinson — and voted generally for Kelly. The remainder of the Republican state ticket is, I fear, beaten. [Later returns showed the election of the rest of the Republican state ticket, with a single exception, by very small pluralities.] Our full force was not at the polls. Many state Republicans opposed to machine politics were disgusted by the Conkling control of the convention, and the nomination of Mr. Cornell. I did all I could to save the cause by urging friends to lay aside their opposition. But there was too much Conkling in the ticket. . . . The defeat of Governor Robinson is the defeat of Tilden, and foreshadows his overthrow next year, either in the Democratic National Convention or at the polls."

taken up with a contest against me. Five vetoes, a number of special messages and oral consultations with friends and opponents have been my part of it. At no time — not even after the nomination at Cincinnati — has the stream of commendation run so full.[1] The great newspapers, and the little, have been equally profuse of flattery. Of course it will not last. But I think I have the confidence of the country. When the *Tribune* can say, "The President has the courtesy of a Chesterfield and the firmness of a Jackson" (!), I must be prepared for the reactionary counterblast.

My convictions have been adhered to equally against party friends and foes. Party friends have insisted that I ought to extend the veto (1) to the repeal of the test oaths; (2) to the jury clauses which provide for men of opposite parties as officers to prepare the lists from which juries are to be drawn; and (3) to the clauses against the use of the army "as a police" at the polls. But I steadily resisted, and in the end have, I think, vindicated the power of the National Government over congressional elections, and the separate authority of the executive department of the Government.

Inasmuch as I stood firmly and successfully against the dictation of my own party leaders in the Senate, I have a feeling that the applause given to the firmness exhibited against the pretensions of the adversary as to the powers of a bare majority of Congress, is not altogether unreasonable.

[1] As an indication of the sort of commendatory messages that came to the President innumerably, after each veto message and at the end of the session, the following excerpt from a letter written by Ben. Butterworth (Cincinnati, May 14, 1879) may be cited: "Our people here read your last message and Amen say they all. Nor does this approval come from Republicans alone, but from the patriotic conservative Democrats as well. . . . There is but one voice and that is in praise of your official course, and is coupled with the earnest hope that you will stand firm. *The country is with you,* — and the war Democrats openly denounce the course of Congress. Your position touching the supremacy of the nation is approved by all Republicans and a large portion of the Democratic party. You have kept the faith. God grant you may be guided in the right way in the future as in the past. The eyes of the country are upon you. The prayers of the pure and patriotic are for you. I believe it will be given to you to see the right in every contingency. I feel that this is so, for the Republic is in his care, and as I study your official course I am impressed that for the work you are doing you were called by an influence that too many know little of. His hand is in it. Pardon me for saying this much on the subject that is nearest my heart — the good of my country."

CHAPTER XXXIII

FOREIGN RELATIONS — INDIAN POLICY, ETC.

FEW subjects of large importance in the foreign relations of the Government demanded action or attention during the Administration of Mr. Hayes. For the most part all our dealings with foreign countries were amicable and were conducted without feeling or friction. There was much popular indignation, however, in the first year of Mr. Hayes's term when the Halifax fishery award was announced. The commission, provided for by the previous Administration to arbitrate the British demands for recompense for fishing privileges in Canadian waters, granted to Great Britain the sum of $5,500,000. This amount was felt by America to be grossly disproportionate to the actual benefits that American fishermen had enjoyed for the years in dispute. Examination of the facts in the case, long after the controversy passed, has convinced candid students that the feeling was entirely just. But having submitted the matter to arbitration, Mr. Hayes and the Cabinet felt that the Government was in duty bound to accept the judgment of the commission, however unjust, unless the British Government should be willing to allow a reconsideration of the case. Mr. Evarts made a respectful but vigorous and impressive statement to the British Government of the American contention. That Government refused to reopen the controversy, and the sum awarded was duly appropriated by Congress and paid within the time specified, though under protest. Probably no American that dispassionately informs himself in regard to the dispute and the commission's action either doubts that substantial injustice was done to this country by the award or fails to acknowledge that this Government acted with large wisdom in submitting to it.

Of more pressing interest were the strained relations that existed for some time with the neighboring Republic of Mexico. For many years that country had been torn with civil dissensions. A chronic condition of revolution seemed to be its normal

state. From the sparsely settled regions of the States along the northern frontier, remote and difficult of access from the capital, bands of marauders, many of them Indians, had for years been making incursions across the Rio Grande into Texas, harrying the ranches of the cattle-men and driving off their herds across the river. The Mexican national authorities were unwilling or unable to prevent these wrongs or to make reparation therefor; and the local authorities were evidently in more or less open co-operation or sympathy with the international bandits. General Porfirio Diaz by a successful revolution in 1876 had placed himself at the head of the Mexican Government. He had not yet been recognized by this Government, and he made no effort to improve conditions along the border. Finally, on the report by Lieutenant-Colonel Shafter of continued depredations by Mexicans, the President and his Cabinet were convinced that vigorous measures should be adopted. Consequently orders were issued June 1, 1877, to General Ord, commanding in Texas, directing him, at his discretion, to follow marauders across the Rio Grande "and overtake and punish them as well as retake stolen property." This order was indignantly resented by the Mexicans, in manifold grandiloquent pronunciamentos, as authorizing a war-like invasion of their territory. But, even while protesting that Mexico would meet force with force, General Diaz sent a Cabinet Minister and troops to the northern border and an amicable arrangement was made for coöperation with General Ord in protecting the frontier.

Meanwhile, the American newspapers were making the border difficulties and the order to General Ord the news sensation of the day. The President was applauded, on the one hand, for his vigorous policy to end a condition which had too long been allowed to continue. On the other hand, he was criticized for overstepping the bounds of his authority, violating treaty rights, and making virtual war upon an impotent friendly power. It was even widely charged that the Administration was actuated by a deep and malevolent purpose to provoke war with Mexico in order to divert attention from domestic problems and to bring about the annexation to this country of several of the northern States of Mexico. It made no difference that any such purpose was disavowed by the Administration. The wiseacres were not

to be convinced against their own intuitive knowledge. Senator Blaine, still smarting at his discomfiture regarding the Cabinet and displeased with the President's settlement of the Southern problem, precipitately championed this view in a speech on the Fourth of July at Woodstock, Connecticut, professing himself greatly alarmed at the possibilities of the President's policy. "As a comforting and consolatory addendum to the whole scheme," he declared, "we are kindly assured that in no event shall any Mexican territory be acquired or annexed to the United States. As in many cases of similar design and movement, the most important feature may be that which is specially disavowed." The buzz of comment that this sinister utterance incited was short-lived. The President instantly declared he had never been accustomed to that way of dealing with individuals or with public questions and did not think he should begin now. "There is nothing secret or underhand in the Mexican policy," he said. "The Administration found that Mexico is not able to keep back her thieves and bandits from crossing the Rio Grande and killing and robbing our citizens. At all events, Mexico has failed to do so. It is the duty of this Government to protect its citizens against these raids." And Secretary Evarts dismissed the intimation of duplicity with the laughing remark that he was in the habit of telling the truth on all occasions, and was thus enabled to conceal his sentiments completely from people who were continually expecting diplomatic deceptions from him.

The Administration pursued its policy in serene unconcern of hostile criticism. During the next few months American troops on several occasions crossed the Rio Grande and inflicted condign punishment on fleeing brigands. Assurances by the American Minister at the City of Mexico that this action of our soldiers had no ulterior purpose or design, but was only incident to the necessary protection of our own people against lawless adventurers whom the Mexicans themselves could not keep in check, somewhat appeased the flamboyant indignation of the Mexican patriots, though their Government never ceased to protest against our Government's action. Gradually the persistent activity of our soldiers created wholesome dread in the breasts of the marauders, and as President Diaz became better established in power, more efficient police control was exercised by the Mexicans

along the border. But not until the last year of his Administration did President Hayes become convinced that conditions justified the rescinding of the obnoxious but efficacious order to General Ord. The whole effect of the policy had been of immense service in establishing order and security along the frontier and in lessening the causes of friction between the two countries.

Meanwhile, the anti-Chinese agitation on the Pacific Coast entered an acute stage. For years the feeling had been growing, especially in the more densely peopled portions of California, that unrestricted immigration of Chinese would prove detrimental to the best interests of America. Industrious, frugal, and orderly though the Chinese were, yet they were so alien in their morals and mode of life, so impossible of assimilation and absorption, that racial antagonism was sure to be aroused. No real sympathy or mutual understanding, indeed, was practicable between the masses of the two races. Popular animosity against the Chinese was constantly aggravated by labor leaders and political agitators, chief among whom was Dennis Kearney, whose violent speeches in the "Sand Lots" did much to inflame the public mind. The newspaper press contributed its share to the agitation, discussing the subject from every standpoint of reasonable argument or unreasoning prejudice. Both political parties in California, in their state platforms, had demanded a modification of the existing treaty with China by which the influx of Chinese should be checked or entirely stopped. And the California Constitutional Convention, sitting in the early months of 1879, proposed to adopt severe repressive measures. Moreover, the anti-Chinese agitation of the Pacific Coast had made a marked impression upon the sentiment of the whole country, bringing the people generally to the conclusion that a multitudinous incursion of a race so different in culture, morals, and religion as the Chinese would be fraught with peril to our institutions and our civilization. Some men, to be sure, like the eminent William Lloyd Garrison and Henry Ward Beecher, pleaded eloquently for the continuance unimpaired of the historic American policy, that of offering a welcome asylum to the oppressed and down-trodden of every race and clime. But they were a very small minority. Almost universally it was felt that the country

should be preserved as the abode of men of European race or strain, where a Christian civilization and republican institutions should flourish, uncontaminated by Asiatic ideals or customs.

California had sought by state legislation to restrict immigration, but its enactment had been declared unconstitutional. Then appeals and petitions had been presented to Congress urging it to afford the State relief. The Forty-fourth Congress so far heeded these requests as to adopt joint resolutions asking the President to "open negotiations with the Chinese Government for the purpose of modifying the provisions of the treaty between the two countries." But nothing came of this action. Then this same Congress in 1876 sent a joint committee, of which Senator Morton was chairman, to the Pacific Coast to make a thorough investigation of the whole subject of Chinese immigration and to report its conclusions. The subject also received attention that year in the national platforms of both parties; the Republicans declaring it to be "the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interest of the country"; the Democrats denouncing the diplomatic policy which had "exposed our brethren of the Pacific Coast to the incursions of a race not sprung from the same great parent stock," and demanding "such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race."

The majority report of the joint committee of investigation urged upon the executive department the necessity of obtaining an immediate change of the Burlingame Treaty so as to enable the country to restrict or prevent further Chinese immigration; and the Forty-fifth Congress promptly passed a joint resolution to similar purpose. But the people of the Pacific Coast were impatient at the slow processes of diplomatic negotiation, and the political leaders of both parties in California were eager for more summary action. They had the notion that whichever party proved itself the more zealous against Chinese immigration would have the better chance of carrying California in the state election of 1879 and in the Presidential election of the following year. The California Congressmen were able to impress their views on the majority of their colleagues and to prevail on them in the

closing weeks of the Forty-fifth Congress to attempt by congressional action to bring about a virtual abrogation of the treaty with China. Under the treaty the Chinese had the right of free access to our shores. The bill now presented to Congress proposed to nullify this right by forbidding any shipmaster to bring more than fifteen Chinese at any one time to America. It also directed the President to serve immediate notice on the Chinese Government of the abrogation of articles 5 and 6 of the Burlingame Treaty — the articles recognizing "the inherent and inalienable right of man to change his home and allegiance," and providing for the protection by each country of the natives of the other resident therein — as though repudiation of a part of a treaty by one of the parties thereto were not tantamount to its complete abrogation. The friends of the measure contended that it was entirely within the right of Congress thus to annul or to modify a treaty. But even if that was conceded — and it was widely disputed except in cases of gravest emergency — the better sense of the country was in accord with Senator Hamlin in regarding it as an unmannerly proceeding; as, indeed, if not an actual breach of international good faith, a most discourteous or even insulting mode of action; such as would never be thought of in connection with any treaty with a European nation. The majority in both houses of Congress, however, remained unaffected by such considerations, plain though it was from the almost universal voice of the press, except in the Far West, that the public opinion of the country, while recognizing the wisdom and necessity of restricting Chinese immigration, condemned the unceremonious violation by Congress of a treaty of our own seeking. Eminent leaders of both parties in Congress championed the measure and defended its propriety. Conspicuous among the number was Mr. Blaine, thinking, no doubt, of the possibilities of the next year's Presidential election. President Hayes followed the debate in Congress with close attention. He was convinced, as he wrote in his diary (February 20, 1879), 'that the present Chinese labor invasion (it was not in any proper sense immigration — women and children did not come) was pernicious and should be discouraged. Our experience in dealing with the negroes and Indians was not encouraging. We should oppress the Chinamen, and their presence would make hoodlums or

vagabonds of their oppressors. He would, therefore, consider with favor suitable measures to discourage the Chinese from coming to our own shores. But he suspected this bill to be inconsistent with our treaty obligations. If it violated the national faith he must decline to approve it.' Three days later Mr. Hayes had no doubt of his duty in the premises. He writes: —

> The Chinese bill now likely to pass both houses — has passed both, but is waiting action of the House on Senate amendments — attracts much attention. As I see it, our treaty with China forbids me to give it my approval. The treaty was of our seeking. It was proposed by our Minister to China — Mr. Burlingame. He became the Ambassador of China to this country, and in Washington negotiated it with Mr. Seward. It was first ratified by our Senate and sent to China for ratification there. It was applauded by all parts of this country. The Pacific Coast joined in this. It is now claimed that it has proved unsatisfactory and pernicious, and the bill in question seeks to prevent the mischief complained of by a measure which violates its most important provisions. We have accepted the advantages which the treaty gives us. Our traders, missionaries, and travellers are domiciled in China. Important interests have grown up under the treaty and rest upon faith in its observance.
>
> One of the parties to a treaty cannot rightfully by legislation violate it. When a question of national faith is involved we should deal with all nations on the same principles — footing. We should deal with China precisely as we would expect and wish other nations to deal with us under similar circumstances. . . .
>
> Our countrymen on the Pacific coast, with great unanimity, and with the utmost earnestness, desire a change in our relations with China. They are entitled to have, and they should have, our sympathy in this matter. If we could put ourselves in their places, it is absolutely certain that we should think and feel as they do. We should at once devise appropriate measures to give them assurance of relief. This can be done long before there is any material increase of their present difficulties without any violation of the national faith, and wthout any real or substantial departure from our traditional policy on the subject of immigration.

Mr. Hayes embodied these views in a brief and forceful veto message.[1] He had hardly completed its composition when Mr. Evarts submitted to him the draught of a message which presented the objections to the bill with greater detail and

[1] It would have been possible for the President, so late was the bill in reaching him, to prevent its becoming a law by a "pocket veto." But he was not at all inclined to shirk responsibility in that manner.

elaboration, but no more convincingly or vigorously. Mr. Hayes, without even revealing the fact that he had himself prepared a message, accepted Mr. Evarts's draught and made it his message to Congress. There is, of course, no possible objection to such a procedure. It has been and must be frequently followed by men in positions of high authority. This was, however, the only instance of its kind in Mr. Hayes's career. Every other state paper bearing his signature was of his own composition. Mr. Evarts was somewhat chagrined when some time subsequently he learned that he had not, after all, anticipated the President.

The veto message recalled briefly the facts about the negotiation of the original treaty with China in 1858, the main substance of whose provisions was "to define and secure the rights of our people in respect to access to, residence and protection in, and trade with China." If greater rights or privileges were ever granted to any other nation, these should "at once enure to the benefit of the United States, its public officers, merchants, and citizens." The Burlingame Treaty of 1868, it was pointed out, was only supplemental to the original treaty and became a part of it. This supplement had principally to do with "Chinese immigration and the Chinese as forming, or as they should form, a part of our population." The experience of the last decade, revealing the quality and effect of large Chinese immigration, might reasonably suggest to both Governments that "the simple provisions of the Burlingame Treaty may need to be replaced by more careful methods, securing the Chinese and ourselves against a larger and more rapid infusion of this foreign race than our system of industry and society can take up and assimilate with ease and safety." But surely the conditions were not such as to demand the peremptory termination of the treaty by act of Congress. Only "some reason both of the highest justice and of the highest necessity" would justify such procedure. This was strongly illustrated by the single instance in our history of such action, when in 1798 Congress had declared the treaties with France abrogated because, as the preamble of the act recited, these treaties had "been repeatedly violated on the part of the French Government," reparation for injuries had been refused, and efforts on our part to "negotiate an amicable adjustment"

had been "repelled with indignity." Congress, to be sure, sought only the abrogation of two clauses of the treaty with China. But manifestly the modification of an existing treaty could only be made by the treaty-making power, which Congress under the Constitution had no right to exercise. Even more important than that consideration was "the principle that a denunciation of a part of a treaty, not made by the terms of the treaty itself separable from the rest, is a denunciation of the whole treaty." The message ended with these words: —

> I am convinced that, whatever urgency might in any quarter or by any interest be supposed to require an instant suppression of further immigration from China, no reasons can require the immediate withdrawal of our treaty protection of the Chinese already in this country, and no circumstances can tolerate an exposure of our citizens in China, merchants or missionaries, to the consequences of so sudden an abrogation of their treaty protection. Fortunately, however, the actual recession in the flow of the emigration from China to the Pacific Coast, shown by trustworthy statistics, relieves us from any apprehension that the treatment of the subject in the proper course of diplomatic negotiations will introduce any new features of discontent or disturbance among the communities directly affected. Were such delay fraught with more inconveniences than have ever been suggested by the interests most earnest in promoting this legislation, I cannot but regard the summary disturbance of our existing treaties with China as greatly more inconvenient to much wider and more permanent interests of the country.
>
> I have no occasion to insist upon the more general considerations of interest and duty which sacredly regard the faith of the nation in whatever form of obligation it may have been given. These sentiments animate the deliberations of Congress and pervade the minds of our whole people. Our history gives little occasion for any reproach in this regard, and in asking the renewed attention of Congress to this bill, I am persuaded that their action will maintain the public duty and the public honor.

It is not surprising that the last paragraph, in view of the conviction of sober-minded people that Congress in the very act vetoed had been disregarding the faith of the nation, was interpreted by many as conveying a covert rebuke. The bill on reconsideration still commanded a plurality of the votes of the House of Representatives, but not the necessary two thirds, and so failed to become a law. In all parts of the country, except on the Pacific Coast, the veto message received almost universal

approbation.[1] However important it might be to restrict Chinese immigration, it was vastly more important for the country to act justly and decently in its international dealings. That was the prevailing sentiment of the press and of the leaders of public opinion everywhere east of the Rocky Mountains. Mr. Hayes in the message he himself wrote accurately reflected the dominant sentiment as well as his own conviction of duty in this vigorous paragraph: —

> Let it be admitted that the dangers apprehended from a longer continuance of the Chinese immigration require consideration and action, they surely do not require a departure from the well-settled principles and usages of nations in their intercourse with each other, and in regard to the observance of treaties. We should deal with China in this matter precisely as we would expect and wish other nations to deal with us under similar circumstances. The peremptory abrogation of a part of this treaty without negotiation with China, and without her consent, is the abrogation of the whole. The abrogation of a treaty by one of the contracting parties is justifiable only upon reasons both of the highest justice and of the highest necessity. To do this without notice, without fixing a day in advance when the act shall take effect, without affording an opportunity to China to be heard, and without the happening of any grave or unforeseen emergency, will be regarded by the enlightened judgment of mankind as the denial of the obligation of the national faith.

Diplomacy was successful in the following year in accomplishing in a gentle and friendly manner all that could reasonably be desired in the restriction of Chinese immigration. China signified its willingness to consider the question "with a dispassionate fairness, and to coöperate in such measures as may tend to prevent injurious consequences to the United States." [2] Thereupon the President appointed James B. Angell, of Michigan, John F. Swift, of California, and William Henry Trescott, of North Carolina, commissioners plenipotentiary, and directed them to proceed to Pekin. There they conferred with three similar

[1] "The veto of the anti-Chinese bill is generally approved east of the Rocky Mountains and bitterly denounced west of the mountains. I was burned in effigy in one town! No doubt a population without women — without wives and mothers — that can't assimilate with us, that underbids our laborers, must be hateful. It should be made certain by proper methods that such an invasion cannot permanently override our people. It cannot safely be admitted into the bosom of our American society." (Diary, March, 1879.)

[2] President Hayes's annual message, December 1, 1879.

commissioners, designated by the Emperor of China. As the result of their negotiations two treaties were agreed upon in November, 1880; one improving the commercial relations of the two countries and forbidding the opium trade; the other and more important so modifying the Burlingame Treaty as to permit the United States by legislative measures to "regulate, limit, or suspend" the immigration of Chinese laborers. The ratification of the treaties by both Governments followed promptly, and so it became possible for the United States, without breach of faith or endangering the general relations of commerce and amity with the Chinese Empire, to restrict and control the influx of Chinese into this country. The course of President Hayes in connection with this whole episode received in the retrospect the decided approval and commendation of the conservative sentiment of the entire Republic.

During the summer of 1879 the De Lesseps project for constructing a canal across the Isthmus of Panama began to take practical shape. The American people were tremendously interested in the proposal, and discussion of the possibilities involved in the building and control of an interoceanic canal under European auspices became general. What would be the relations of our Government to the enterprise? What power or powers would be charged with the maintenance of the neutrality of the waterway? How would the Monroe Doctrine be affected? These and similar questions were for months a chief topic of newspaper and popular discussion and were made the subject of prolonged official consideration. Senator Burnside, near the close of the special session of Congress, introduced a resolution, declaring "that the people of these States would not view without serious inquietude any attempt by the powers of Europe to establish under their protection and domination a ship canal across the Isthmus of Darien, and such action could not be regarded in any other light than as a manifestation of an unfriendly disposition toward the United States." While no action was taken, the resolution fairly expressed a widely prevalent feeling. De Lesseps, to be sure, promptly disclaimed any official sanction of his project by the French Government, and the French Minister at Washington made a similar disavowal. But a company,

organized under French law, conducted by Frenchmen, and receiving its capital from French investors, would necessarily have claims upon the power that created it, and its promoters and shareholders must naturally look to it if occasion arose to give proper support to their rights and interests.

Meanwhile, too, the effort was made to create an American company, of which it was sought to induce General Grant, just returned from his triumphal trip around the world, to take the presidency, to build a canal by the Nicaragua route. Eminent American engineers in the public service, after long and painstaking surveys, had pronounced this route the most feasible and desirable of all the isthmian projects. In his annual message in December the President indicated his sympathy with this American proposal. And both houses of Congress were not slow in reflecting the popular concern at the French undertaking. In the House a select committee was constituted to inquire into our treaty rights and obligations on the Isthmus and to consider all pertinent questions in the premises. There was no division of parties on the subject. Men of all shades of opinion believed that the Monroe Doctrine was about to be defied. Even a man of so judicious and unexcitable a temper as Senator Bayard was stirred to declare in the Senate: —

> The scheme of uniting the two great oceans by a canal across the Isthmus on the southern border of this continent is one of world-wide importance, and the heart of every American proclaims that it is to be under the control of the Government of the United States. Our power may be questioned, but it will be maintained. Every counsel of wisdom, therefore, exhorts us to "seize the day" and in time of peace prepare for war, for it is the surest mode to avert it.[1]

[1] The President was not an idle observer of the controversy: —

"Last Friday, the 9th, I directed the Secretary of the Navy to order two of our national vessels to sail to the ports in the Chiriqui Grant, one on the Gulf of Mexico and one on the Pacific Coast between Panama and the proposed Nicaragua Canal. The purpose is to establish naval stations in these important harbors. It is claimed that an American citizen, Mr. Ambrose Thompson, has procured a very important grant of the lands surrounding these harbors and of the right of way connecting them. Mr. Thompson conveyed to the United States, by an arrangement with President Lincoln, an interest in his grant. If it shall be deemed best by Congress to take possession of that interest, the presence of our ships and the establishing of our coaling-stations will give us a foothold which will be of vast service in controlling the passage from ocean to ocean either at Panama or at Nicaragua Lake." (Diary, January 13, 1880.)

The decided preponderance of informed and intelligent opinion, both official and popular, was that the interests of this country in any isthmian canal were so much greater and so much more important than those of any or, indeed, all other countries, that while we could not and should not stop the building of a canal by whoever could provide the necessary capital, we were in duty bound to protect ourselves against the possibilities of evil consequences that might be involved in French control. There must be no misunderstanding on the part of the world that by the very nature and necessities of the case our rights and interests must receive paramount consideration. President Hayes was firmly convinced of the propriety of this view,[1] and he gave concise but emphatic expression to it in a special message to Congress of March 8, 1880, transmitting copies of correspondence and other papers relating to the canal which had been asked for by the House. He said: —

In further compliance with the resolution of the House, I deem it proper to state briefly my opinion as to the policy of the United States with respect to the construction of an interoceanic canal by any route across the American Isthmus.

[1] "The most important subject now under consideration is as to the canal across the Isthmus, connecting the waters of the Atlantic and the Pacific. The French engineer, Lesseps, the chief man in building the Suez Canal, is actively at work organizing, or trying to organize, a company to enter upon the work. The time has come when the American doctrine ought to be explicitly stated. In my judgment the United States regard the commercial communication, whether by railroad or canal between the two oceans, across the Isthmus at any of the points which have been suggested, as essential to their prosperity and safety. The right of free passage at all times in peace or war, for the purpose of commerce or for defense, the United States deem essential to their safety and prosperity. They wish it to be understood by all concerned that the United States will not consent that any European power shall control the railroad or canal across the Isthmus of Central America. With due regard to the rights and wishes of our sister republics in the Isthmus, the United States will insist that this passageway shall always remain under American control. Whoever invests capital in the contemplated work should do it with a distinct understanding that the United States expects and intends to control the canal in conformity with its own interests.

"The highway between that part of the United States which is on the Atlantic and the Gulf of Mexico, and that part of our country which is on the Pacific, must not be allowed to pass under the control of any European nation. The control must be exclusively either in the country through which it passes, or in the United States, or under the joint control of the American Republics. The United States should control this great highway. . . . It must not be controlled by Europe." (Diary, February 7, 1880.)

The policy of this country is a canal under American control. The United States cannot consent to the surrender of this control to any European power or to any combination of European powers. If existing treaties between the United States and other nations, or if the rights of sovereignty or property of other nations, stand in the way of this policy, — a contingency which is not apprehended, — suitable steps should be taken by just and liberal negotiations to promote and establish the American policy on this subject, consistently with the rights of the nations to be affected by it.

The capital invested by corporations or citizens of other countries in such an enterprise must in a great degree look for protection to one or more of the great powers of the world. No European power can intervene for such protection without adopting measures on this continent which the United States would deem wholly inadmissible. If the protection of the United States is relied upon, the United States must exercise such control as will enable this country to protect its national interests and maintain the rights of those whose private capital is embarked in the work.

An interoceanic canal across the American Isthmus will essentially change the geographical relations between the Atlantic and Pacific Coasts of the United States, and between the United States and the rest of the world. It will be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast-line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States. No other great power would, under similar circumstances, fail to assert a rightful control over a work so closely and vitally affecting its interest and welfare.

Without urging further the grounds of my opinion, I repeat, in conclusion, that it is the right and the duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the Isthmus that connects North and South America as will protect our national interests. This I am quite sure will be found not only compatible with but promotive of the widest and most permanent advantage to commerce and civilization.[1]

By a fortunate coincidence this message was sent to Congress on the very day that De Lesseps, who was visiting this country

[1] Before writing this message the President had presented his views to the Cabinet. Every member had practically concurred therein, though Mr. Evarts was not convinced that the situation was as acute as the President regarded it. The opinion of the other members was substantially that expressed by Mr. Schurz: "No European nation under similar circumstances would hesitate an instant to assert its rights in such a case, and to give decided expression of its purpose to maintain them."

on his way back to France from Panama, was appearing before the select committee to give information regarding his plans and purposes. Even his exuberant enthusiasm felt the dash of cold water that the President had administered, though it quickly revived its flame.

Most of the leading papers, irrespective of party leanings, approved the President's declaration and gave his message cordial commendation. In Congress various resolutions, asserting virtually the same position as that taken by the President, were introduced and debated, but without definitive action. De Lesseps on his return to France went forward with his preparations for floating his ill-fated and scandal-attended enterprise with the ardor and resourcefulness characteristic rather of a young man than of a septuagenarian. In his last annual message, December 6, 1880, the President made only this brief reference to the matter: —

> The relations between this Government and that of the United States of Colombia have engaged public attention during the past year, mainly by reason of the project of an interoceanic canal across the Isthmus of Panama, to be built by private capital under a concession from the Colombian Government for that purpose. The treaty obligations subsisting between the United States and Colombia, by which we guarantee the neutrality of the transit and the sovereignty and property of Colombia in the Isthmus, make it necessary that the conditions under which so stupendous a change in the region embraced in this guaranty should be effected, — transforming, as it would, this Isthmus, from a barrier between the Atlantic and Pacific Oceans, into a gateway and thoroughfare between them, for the navies and the merchant-ships of the world, — should receive the approval of this Government, as being compatible with the discharge of these obligations on our part, and consistent with our interests as the principal commercial power of the Western Hemisphere. The views which I expressed in a special message to Congress in March last, in relation to this project, I deem it my duty again to press upon your attention. Subsequent consideration has but confirmed the opinion "that it is the right and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the Isthmus that connects North and South America as will protect our national interest."

It was just at this time that, with a great blare of advertising, the Panama stock was being offered for subscription by prominent banking houses in Paris, London, and other European

financial centres, and likewise in New York: and in Europe large subscriptions were being made. To disarm American suspicions and to propitiate American sentiment, in view of the known opinion of the President and the attitude of Congress, the ready and astute De Lesseps had conceived the plan of creating an American advisory committee whose ostensible function should be to control purchases of canal supplies in this country, but which would appear to give the enterprise an American character. For president of this committee a figurehead of national note was desirable. General Grant was first approached, but in vain; and then with splendid audacity a man was sought in the very Cabinet of the President, namely, the Secretary of the Navy. While the duties of the position could hardly be much more than nominal, the emoluments were to be a salary of twenty-five thousand dollars a year. The salary was most attractive to Colonel Thompson, and yet, he was reluctant at first to take the place if the President should regard his acceptance as in any way inconsistent with his relations to the Administration and the doctrines of the President's message. But "it had occurred to him that the influence of an American president might be so used as to americanize the enterprise and thus remove the principal objection made in this country." The purpose of his selection was so manifest and the impropriety of his even considering the offer was so obvious that the President was naturally surprised and chagrined when, early in December, the Secretary accepted the position without having previously retired from the Cabinet. The old gentleman had apparently persuaded himself that there would be no incongruity in his continuing to serve in the President's official family, while becoming the titular representative in this country of a foreign enterprise, the exact status and possibilities of which were the subject of popular controversy and governmental inquiry.

It was necessary for the President at once to undeceive the Secretary, and this he managed to do in so definite and yet delicate a way that the aged Secretary could not misunderstand his meaning nor yet feel offended in his pride. He commissioned Secretary Evarts, who had informed him of Secretary Thompson's decision, to say to the latter: —

The President regards your message through me as placing your resignation at his disposal, and decides at once to accept it to relieve you of all embarrassment on the subject.

Whereupon the Secretary promptly addressed a formal letter of resignation to the President, expressing "extreme reluctance" to withdraw from associations which had "been so uniformly pleasant and agreeable, so entirely unmarred by a single unpleasant occurrence."

In the House, in December, Mr. Crapo, of Massachusetts, introduced a resolution even more vigorous in expression than those debated in Congress during its preceding session, declaring the construction of a canal by the means of foreign capital under a European charter hostile to our established policy and violative of the spirit of the Monroe Doctrine; and asserting the determination of this Government to control any canal that should be built. This resolution was referred to the Committee on Foreign Affairs, which gave it long consideration, and at last submitted a report in which the Monroe Doctrine was elaborately reviewed and the propriety of the resolution was defended. No action was taken by the House on the resolution or the report; and nothing came of efforts made by Secretary Evarts to obtain a protocol to the treaty of 1846 with the Colombian Government which should provide that the United States exclusively should guarantee the neutrality of the canal. The unsettled controversy thus passed over to the next Administration and long continued to be the subject of dispute and negotiation. It is hardly necessary to recall that the doctrine asserted by President Hayes, "the policy of this country is a canal under American control," after long years of futile private efforts and various vicissitudes of diplomacy, was at last realized in the assumption of American authority on the Isthmus and the construction at vast public expense of the imposing undertaking.

The large achievements of Mr. Hayes's Administration in dealing with domestic problems — the handling of the Southern situation, the restoration of specie payments and the strengthening of the national credit, the efforts to bring about reform in the civil service, and the maintenance unimpaired of the President's prerogatives — have been fully set out in preceding chapters.

The most rapid survey of the minor incidents and routine activities of the period must suffice. This general statement can be made, that as compared with the preceding Administration a more efficient and businesslike spirit pervaded all the executive offices; that the functions of government were exercised with a directness, a straightforwardness, and a freedom from scandal which were in striking contrast to the methods that had long been widely prevalent.[1] When Mr. Hayes entered upon his

[1] Examination of Mr. Hayes's messages in detail surprises one with the large number of recommendations for improvements in the public service and for progressive legislation which, though ignored at the time, have since become accomplished facts. Especially noteworthy were his urgent pleas for more efficient legislation and methods for ending the scandal of polygamy in Utah and the adjacent Territories. Writing in his diary, January 13, 1880, of the appointment of a Governor of Utah, the President says: "This under ordinary circumstances would be a common administrative act. But an appointment in the place of the present very reputable Governor means a change of policy toward the Mormons. Now the Territory is virtually under the theocratic government of the Mormon Church. The union of Church and State is complete. The result is the usual one — the usurpation or absorption of all temporal authority and power by the Church. Polygamy and every other evil sanctioned by the Church is safe. To destroy the temporal power of the Mormon Church is the end in view. This requires agitation. The people of the United States must be made to appreciate, to understand the situation. Laws must be enacted which will take from the Mormon Church its temporal power. Mormonism as a sectarian idea is nothing; but as a system of government it is our duty to deal with it as an enemy to our institutions and its supporters and leaders as criminals."

Mention also should be made of Mr. Hayes's share in the completion of the Washington Monument. In the diary is preserved the following interesting letter and footnote: —

Spiegel Grove, Fremont, Ohio.
24 December, 1886.

My dear Sir, — Mrs. Hayes wishes me to thank you warmly for your kind note and for your capital book on the *Democracy of Art*. I must also add my special gratification for your mention of my agency in securing the completion of the Washington Monument, and your discriminating approval of the obelisk in your work. There was much division of counsels about it. The Act of Congress making an appropriation for its continuance was generally regarded as a dead letter by reason of the conditions annexed. It was confidently objected: —

(1) That the foundation would not sustain an average warehouse and that to patch it would be folly.

(2) It would if completed be a disgrace to the nation — merely a tall and awkward smokestack at the best.

(3) It ought to be torn down, and in its stead there should be built an arch, or a splendid structure filled with statues and allegorical figures.

For some months I made it a study — a hobby. General Casey skilfully prepared a plan to strengthen the foundation. Mr. Spofford furnished the height of other tall structures. Mr. Clark, architect of the Capitol, gave constant and

term the country was still depressed and suffering from the effects of the severe financial panic of 1873; and his party was discredited, riven by internal discussions, and on the verge of collapse. When he left the White House, bounding prosperity made glad the hearts of the people, and his party was once more triumphant, confident, aggressive. The wonder is that with a hostile Congress, and with his own party disunited in its support of all the great policies to which he was committed by his letter of acceptance and his inaugural address, and which he determinedly pursued — the wonder is that he could accomplish as much as he did. His Administration proved and illustrated his own wise maxim that "he serves his party best who serves his country best." He was frankly and devotedly a Republican. On the great questions which divided the parties he believed unswervingly that the Republicans were right and the Democrats were wrong. For the best development, for the progress, and the perpetuity of our institutions he was thoroughly convinced that the Republican view should prevail. But he did not doubt the patriotic motives of his Democratic opponents, however much he thought them mistaken in their principles, and he had not shut his eyes to the excesses of Republican administration, nor closed his ears to the indignant demand of the people for reasonableness and reform. In the face of the protests, the denunciation, and the malignant enmity of men who

indispensable aid to the work. Mr. Corcoran and others earnestly supported the project of going forward, and gradually all opposition was overcome. We decided that the monument should overtop all other tall structures, and fixed its height, therefore, at 550 feet. On some of the details we consulted our Minister to Italy, Mr. George P. Marsh. Singularly and fortunately he discovered that there was a rule which determined the height of an obelisk by reference to the dimension of its base; and that by the rule our monument should be 555 feet high.*

This is hastily written from memory and is, of course, subject to correction by recurring to documents. It will give you an idea of the ground of my gratification in reading your appreciative commendation of the completed monument. — Sincerely,

R. B. Hayes.

Mr. J. Edwards Clarke,
Washington, D.C.

* General Casey is entitled to special and honorable mention. He solved the difficult problem presented by the defective foundation. To him the nation is indebted for the successful completion of its most admirable and illustrious memorial structure.

had long been leaders of his party, he serenely maintained his course, firmly convinced in his own mind that the policies he was enforcing, instead of wrecking his party, as his detractors angrily prophesied, would bring new strength and new courage to the Republican cause. And the event proved that he was far wiser than his critics.

Mr. Hayes himself, writing in his diary (December 29, 1881), ten months after the expiration of his term, reviews the accomplishment of his Administration in this manner: —

> To my mind the conclusive argument in behalf of my Administration is its results. Success is the final test of public men and public measures. What was the result of the Administration on the country and on the party which elected it? The Administration found the country divided and distracted and every interest depressed. It left it united, harmonious, and prosperous. The Administration came in with the Republican party discordant, disheartened, and weak. When the Administration closed, its party was united, strong, confident, and victorious. At its beginning, the South was solid, and the North divided. At its close the North was united and solid and the South was divided. At the beginning both houses of Congress had been lost. When it closed, both houses were regained. I can say with truth: "I left this great country prosperous and happy, and the party of my choice strong, victorious, and united. In serving the country I served the party."
>
> The measures which did the most to bring about these auspicious results were, as a general statement, opposed by the leaders of my party — by the men who were most bitter in their hostility to me, namely, Conkling, Blaine, Cameron, etc., etc. I refer especially to the Southern policy, the civil service policy, and the financial policy of the Administration. The great success of the Administration in its civil service policy was in getting the control of the New York Custom-House, and in changing it from a political machine for the benefit of party leaders into a business office for the benefit of the public. This was where the spoils system was strongest and where the reform was most difficult. All of my opponents were on the wrong side of the question. The victory was signal and in its results complete. The successful reform in New York is the corner-stone of the final thorough and complete reform of the whole service of the United States. What has been done in New York against such odds can be done, and surely will be done, everywhere.
>
> The Southern policy these leaders all reviled; now, all are silenced by the results. Their President utters not a word on the subject. His silence is the most significant proof of the wisdom and success of my policy.
>
> On financial measures, all of the leaders named, Blaine, Cameron,

Conkling, either opposed openly or secretly. They were all unsound on the Greenback heresies. I point to the results for my endorsement.

The great railway strike in the summer of 1877, which paralyzed traffic between the Mississippi and the Atlantic seaboard, was attended by riots and acts of violence beyond the power of the state authorities effectively to suppress. President Hayes promptly responded to the request of various Governors for national assistance; issued proclamations of warning, and dispatched troops to the scenes of disorder. It was a source of profound gratification to the President, of satisfaction and pride to the country, that wherever the federal troops appeared, quiet and order were immediately restored without the effusion of a drop of blood. The display of national authority was instantly effective in restoring normal conditions. During the calamitous epidemic of yellow fever in the South, in the summer of 1878, the resources of the War Department were made available to afford shelter and food to houseless refugees from the centres of infection. And the army was constantly employed in the Indian country and along the Mexican border in preserving the peace and in protecting the lives and property of the frontier settlers.

On more than one occasion Indian tribes broke away from their reservations and went on the war-path, causing widespread anxiety and alarm by their savage atrocities. The Indian fighters of the army, conspicuous among whom was General Crook, the President's old commander in the Shenandoah days, pursued them skilfully and relentlessly and the war cloud would soon pass. But for the most part peaceful conditions prevailed throughout the wide stretches of Indian occupation; the welfare and interests of the wards of the nation were conscientiously looked after, and far-sighted plans for the gradual amelioration of their condition, for their education and training in the usages of civilization, with a view to their ultimate absorption in the general body of citizenship, were formulated and as far as practicable put in operation. To this end the experiment of sending selected Indian youths of both sexes from various tribes to the Hampton Institute, to be taught the common school branches and to be instructed in trades and agriculture, was undertaken. And the promise of success of this experiment was so flattering,

and the eagerness of the tribesmen to avail themselves of the opportunity offered for their children was so manifest, that the cavalry barracks at Carlisle, Pennsylvania, were turned over to the Department of the Interior for the establishment of an Indian school; and a similar school was opened at Forest Grove in Oregon. This plan and process of fostering the practical education of Indian youth became the settled policy of the Government and has had an influence and effect in forwarding the civilization of the aborigines which it would be difficult to measure. Too great credit cannot be given Secretary Schurz for the zeal with which he devoted himself to the cause of the Indians, and the assiduity and intelligence which he displayed in advocating and applying his enlightened policy. Mr. Hayes gave him steadfast support, emphasizing in his annual messages the humane and statesmanlike features of the policy pursued, and pressing upon Congress the importance of its extension and liberal support. This policy, Mr. Hayes said, in his message of December 1, 1879, "the object of which is to make liberal provision for the education of Indian youth, to settle the Indians upon farm-lots in severalty, to give them title in fee to their farms, inalienable for a certain number of years, and when their wants are thus provided for, to dispose by sale of the lands on their reservations not occupied and used by them, a fund to be formed out of the proceeds for the benefit of the Indians, which will gradually relieve the Government of the expenses now provided for by annual appropriations, must commend itself as just and beneficial to the Indians, and as also calculated to remove those obstructions which the existence of large reservations presents to the settlement and development of the country. I, therefore, earnestly recommend the enactment of a law enabling the Government to give Indians a title in fee, inalienable for twenty-five years, to the farm-lands assigned to them by allotment." [1] It is substantially this policy which finally became

[1] In his last annual message Mr. Hayes could say: "It gives me great pleasure to say that our Indian affairs appear to be in a more hopeful condition now than ever before. The Indians have made gratifying progress in agriculture, herding, and mechanical pursuits. Many who were a few years ago in hostile conflict with the Government are quietly settling down on farms where they hope to make their permanent homes, building houses and engaging in the occupations of civilized life. The introduction of the freighting business among them

the Government's established course of action, and under the operation of which the Indian problem, long a source of perplexity, injustice, and corruption, has gradually been nearing permanent solution.

In the last few months of Mr. Hayes's term the wise general course of the Administration in dealing with the Indians and the large beneficent results attained were partially obscured for the time being by passionate discussion of a single unfortunate episode; though a careful survey of the facts relieved the executive department of the Government of the greater burden of responsibility. In the summer of 1877, in obedience to the order of Congress, Secretary Schurz had caused the removal of the Ponca tribe of Indians from their old home in Dakota and Nebraska to the Indian Territory. A remnant of the tribe managed to escape removal or to return to their old home. Now it had gradually come to the knowledge of the general public that, through congressional indifference or callousness and official carelessness or stupidity, grave injustice and unmerited hardship had been inflicted on the Poncas. The facts had been duly set forth in the reports of Secretary Schurz and of the Indian Commissioner; and a committee of the Senate had made a thorough investigation and reported in May, 1880, that "a great wrong had been done to the Ponca Indians." But the public mind had been slow to become excited over the sufferings of a few hundred Indians, however great and undeserved. At last it did become aroused and loudly demanded explanation and reparation. The fact appeared that by some blunder the old reservation, on which the tribe had lived time out of mind and which had been assured to it in perpetuity by the Government, had been included in the lands set apart to the Sioux by a recent treaty with that powerful tribe. Thereupon Congress, without seeking to correct the blunder, had ordered the transfer of the Poncas to the Indian Territory, but had made no provision for building them new homes or giving them proper care on their

has been remarkably fruitful of good results, in giving many of them congenial and remunerative employment, and in stimulating their ambition to earn their own support. Their honesty, fidelity, and efficiency as carriers are highly praised. The organization of a police force of Indians has been equally successful in maintaining law and order upon the reservations, and in exercising a wholesome moral influence among the Indians themselves."

arrival there. Mr. Schurz, in his first annual report, set forth the situation in language that should have arrested the attention of Congress: —

> The case of the Poncas seems entitled to especial consideration at the hands of Congress. They have always been friendly to the whites. It is said, and, as far as I have been able to learn, truthfully, that no Ponca ever killed a white man. The orders of the Government always met with obedient compliance at their hands. Their removal from their old homes on the Missouri River was to them a great hardship. They had been born and raised there. They had houses there in which they lived according to their ideas of comfort. Many of them had engaged in agriculture, and possessed cattle and agricultural implements. They were very reluctant to leave all this, but when Congress had resolved upon their removal they finally overcame that reluctance and obeyed. Considering their constant good conduct, their obedient spirit, and the sacrifices they have made, they are certainly entitled to more than ordinary care at the hands of the Government, and I urgently recommend that liberal provision be made to aid them in their new settlement.

In spite of this and of subsequent pleas by the Secretary, as well as eloquent statements of the facts in the case by the Commissioner of Indian Affairs and by the agent of the Poncas, in spite of the report of the Senate committee already mentioned, Congress had taken no steps to repair the injustice that had been done. Meanwhile, however, the situation of the removed Indians had been greatly ameliorated by the efforts of the Indian Department, and they had reluctantly given up their longing to return to the north; but they very properly felt that they were entitled to reasonable compensation for the lands that had been taken from them.

Finally, in December, 1880, at the solicitation of many prominent citizens, and because he himself thought that the circumstances of the case warranted the unusual procedure, the President appointed a commission [1] to visit both portions of the Ponca tribe, to make a thorough investigation of the facts attending the removal and of present conditions, and to recommend "what justice and humanity required should be done by the Government of the United States." While the commission was engaged in its labors a delegation of Ponca chiefs from the

[1] The members of the commission were Brigadier-Generals Crook and Miles, who had large knowledge of the Indians, and Messrs William Stickney, of Washington, D.C., and Walter Allen, of Newton, Mass.

Indian Territory visited Washington and presented their cause in person to the President. On the report of the commission, which recommended ample reparation for the injuries suffered by the Poncas, in substantial accord with the terms submitted by the Ponca chiefs, Mr. Hayes, on February 1, 1881, sent a special message to Congress, urging action in harmony with the commission's suggestions. The message recited briefly the history of the case, urged immediate remedial measures, set forth anew the principles which in the President's judgment should control the Government's future Indian policy,[1] and ended with this frank and dignified paragraph: —

I do not undertake to apportion the blame for the injustice done to the Poncas. Whether the Executive or Congress or the public is chiefly in fault is not now a question of practical importance. As the Chief Executive at the time when the wrong was consummated, I am deeply sensible that enough of the responsibility for that wrong justly attaches to me to make it my particular duty and earnest desire to do all I can

[1] The President said: —

"Our general Indian policy for the future should embrace the following leading ideas: —

"1. The Indians should be prepared for citizenship by giving to their young of both sexes that industrial and general education which is required to enable them to be self-supporting and capable of self-protection in a civilized community. 2. Lands should be allotted to the Indians in severalty, inalienable for a certain period. 3. The Indians should have a fair compensation for their lands not required for individual allotment, the amount to be invested with suitable safeguards for their benefit. 4. With these prerequisites secured, the Indians should be made citizens, and invested with the rights and charged with the responsibilities of citizenship.

"It is therefore recommended that legislation be adopted in relation to the Ponca Indians, authorizing the Secretary of the Interior to secure to the individual members of the Ponca tribe, in severalty, sufficient land for their support, inalienable for a term of years and until the restriction upon alienation may be removed by the President. Ample time and opportunity should be given to the members of the tribe freely to choose their allotments either on their old or their new reservation.

"Full compensation should be made for the lands to be relinquished, for their losses by the Sioux depredations, and by reason of their removal to the Indian Territory, the amount not to be less than the sums named in the declaration of the chiefs, made December 27, 1880.

"In short, nothing should be left undone to show to the Indians that the Government of the United States regards their rights as equally sacred with those of its citizens.

"The time has come when the policy should be to place the Indians as rapidly as practicable on the same footing with the other permanent inhabitants of our country."

to give to these injured people that measure of redress which is required alike by justice and by humanity.

It is pleasant to recall that Congress instantly heeded the President's plea, and, as far as was then practicable, made atonement for the wrongs that the inoffensive Poncas had suffered. The President's candor in assuming a share of the responsibility for the wrong the Government had perpetrated, though it is difficult to see wherein he was at fault, unless it was in not more promptly pressing the matter upon the attention of Congress, satisfied reasonable men that, whatever delinquency could be charged against the Executive in the whole transaction, it was not the result of wrong motive or intentional neglect.[1] And in any event, it was altogether exceptional and was utterly insignificant in comparison with the many and substantial benefits and improvements which had been brought about by the intelligent and humane methods regularly enforced by the Administration in the Indian service.

Constantly during Mr. Hayes's term the politicians of the Republican party were busy with plans and preparations for the Presidential campaign of 1880. Already in 1879 movements in behalf of several candidates were in full swing. Of all these Mr. Hayes was an interested observer; in none did he participate.[2]

[1] Doubtless it would have been wiser for Secretary Schurz, instead of at once carrying out the order of Congress for the removal of the tribe to the Indian Territory, to have presented the facts of the rights of the Poncas to their Nebraska and Dakota lands under treaties which long antedated the treaty with the Sioux, and to have asked Congress to reconsider the order. The whole transaction was blameworthy. As the commission said: "The removal of the Ponca Indians from their reservation in Dakota and Nebraska, where they were living by virtue of treaties with the United States of 1858 and 1867, was not only most unfortunate for the Indians, resulting in great hardships and serious loss of life and property, but was injudicious and without sufficient cause."

[2] "The committee of the Republican party for the nation met here yesterday. This is the first official movement toward the Presidential election. The committee in a general way were harmonious. They were apparently about equally divided in their preferences for next President between Grant and Blaine, with a decided balance of power for Sherman. If New York could, with a fair degree of unity, present a man like, say, the Vice-President or Governor Fish, he would probably be nominated. The general popular favorite is Grant. But many thoughtful men dislike a departure from Washington's precedent — dislike the third term; and many more fear a return to the unfortunate methods and men of General Grant's former Administration." (Diary, December 18, 1879.).

He himself was not in the race, having taken himself completely out of consideration by his letter of acceptance, though many voices were raised in favor of disregarding his announcement. The only one of his rivals at Cincinnati who now sought the nomination was Mr. Blaine, who had never ceased to nurse his ambition, and who had again a strong and enthusiastic following. Morton was dead and Bristow had disappeared from the political arena. Mr. Sherman was an avowed candidate. His brilliant services as Secretary of the Treasury had vastly increased his great reputation for sound statesmanship and wise conservatism. Among the more thoughtful elements of the party he was recognized as the man of all others most worthy of the high honor; best entitled by his long public service and his splendid achievements to leadership of his party. His nomination would be emphatic endorsement of the Administration, and Mr. Hayes was in full sympathy with his aspirations. But for some reason, — coldness of manner, reserve, lack of sympathetic appeal, or whatever it may have been, — Mr. Sherman was never able, with all his unusual intellectual gifts and powers of accomplishment, to win wide popularity among the rank and file of his fellow citizens. He won their high regard, their admiration, but he failed to touch their imaginations, to inspire them with personal devotion. Moreover, the very fact that he was part of the Administration made his candidacy particularly obnoxious to all the reactionary forces of the party, which longed for the good old days before reform was heard of, and which had persistently refused to be reconciled or to give more than half-hearted support to Mr. Hayes; while the fact that, as a loyal party man, he had made speeches in behalf of the election of Mr. Cornell as Governor of New York, after he himself had been a party to the dismissal of that gentleman for cause from the customs service, had cooled the ardor for him of earnest reformers.

Mr. Conkling was not a candidate himself, but he had assumed the leadership of the forces of the party that were bent upon the nomination once more of General Grant and the restoration of the ancient régime of personal government and senatorial domination. To this cause he devoted his great powers with tireless energy and unwavering zeal, born of his years of pique and animosity toward the President by reason of the curtailment of

his prestige and the denial of his arrogant claims to power and patronage. He had been throughout implacable in his hostility to Mr. Hayes, never once appearing at the White House, during its occupancy by Mr. Hayes.[1] With him now were associated the reactionary elements of the party, — and they were numerous, — as well as hosts of men who were swayed more by their emotions than their reason. The reports of the honors and attentions showered on the great soldier by potentates, princes, and peoples during his progress around the world, the acclaim with which he was everywhere received, filled all American hearts with exultation, and caused many to forget the scandals of his civil administration and to remember only his incomparable services in the war to save the Union.[2] They were ready to welcome him with

[1] "Conkling's death calls up the past. He was talented and able in the debates of public life, but as I see it, his place is largely due to his manipulation of men and patronage. He had no measures, made no memorable speeches, but his fidelity to supporters and skill in flattery, with an impressive presence and manner, were his chief points. An inordinate egotism and self-will were too much for his judgment. If he could not rule, he would not 'play.' He was unfaithful to his party whenever he could not control it. Examples are numerous. He failed in 1876 after his disappointment at Cincinnati. A man with less vanity would have known that he had no chance there. After the election, during the contest over the disputed results, he was again untrue, but lacked the courage to carry out his wishes. In the Potter Committee business he intrigued with the common enemy. He had to be pacified in the Garfield campaign. After the election he required control of New York appointments as a condition of support of the Garfield Administration. After his defeat in New York, due [to] — brought about by — his 'monomania on the subject of his own importance,' he was out of political life until the convention at Chicago in 1884 when he allowed it to be understood that he would support Blaine. But when the election came on, he, as usual, opposed his party, it being no longer under his control.

"After I went to Washington and after the delivery of the inaugural, he was profuse in admiration of my opinions and course — *this to me personally* — until the announcement of my Cabinet, when he became hostile, never again calling on me. We never spoke with each other afterwards. He wanted Platt for Postmaster-General. *That* was the condition of his support." (Diary, April 19, 1888.)

[2] "The backbone of the [Grant] movement, without which it could have only a forced, sickly, sensational existence, lies in Grant's popularity with the masses of the Republican party. They have already forgotten his many errors of judgment, his astonishing faculty for clinging to bad men, . . . the disreputable hangers-on who surrounded him, the official scandals that were constantly breaking out in his Administration; and they remember only his military renown, his conservative, honest course toward the finances, and the fact that the country got along pretty well on the whole under his rule." (E. V. Smalley, Washington correspondence New York *Herald*, dated December 9, 1878.)

General Grant's own attitude toward the movement in his behalf, at least at

wild demonstrations of joy on his return to our shores and to shout themselves hoarse in favor of his restoration to the White House. Among the more conservative and thoughtful of the Republicans, those whose memories had not grown dull, there was genuine alarm at this outburst of emotional enthusiasm, fostered

the start, is set out in a letter to President Hayes from General J. M. Comly, American Minister to Hawaii. General Comly was in San Francisco at the time of the great reception to General Grant on his return to this country in the autumn of 1879. Soon after returning to Honolulu, General Comly wrote the following letter to the President: —

"Dear General, — At San Francisco General Grant sent for me one night at 12 o'clock and kept me (part of the time very uneasily, for I thought it was surely too much of a tax on him) until 2 A.M. He talked in the most interesting manner of his entire trip; but it is not of that I want to write just now. I asked him frankly, and in the most direct and unequivocal English at my command, whether he would be willing under any circumstances to allow his name to be brought out for a third term, telling him his communication could be as confidential as he desired, if he wished me to say nothing on the subject. He responded with the utmost frankness, without any expression of an injunction of secrecy, but (as I understood) with a wish to avoid any public mention or discussion. He said substantially (I think I give his exact language): 'I do not want to run again. I would rather somebody else would be nominated. I do not think I am *needed* for a candidate. I would rather they would take somebody else.' He mentioned some names which he said were good strong names and good Republicans. Spoke very cordially of Sherman first, Blaine, and yourself. Said he was sorry you had such an objection to a second term. I think he referred to a reported interview with you in Chicago, which came by telegraph about that day, covering that point. After one or two more expressions in a general way, he said, 'I would not turn my hand over either way,' making the motion with his hand. He then began again talking about his trip.

"The conversation changed my opinion entirely as to Grant's candidacy — his willingness, I mean. I am convinced that he will not decline a nomination, if tendered with full acquiescence of leading Republicans. One thing has made this conversation seem of sufficient interest to justify the space it has occupied, and that is the following: Before I went in (with Grant's valet, whom he sent for me), John Russell Young said that Grant was going to send for me after the crowd was gone, and he said very urgently: 'The General has not told anybody about the third-term business yet. He has been asked by a good many, and he looks straight before him and simply refuses to reply at all. I know he will tell you, if you ask him.' I expressed the astonishment I felt at such an assertion, but Young repeated: 'I know what I am talking about — you ask him — he will tell you all about it.' The next morning Young was passing to the carriage with the party as I stood in the court at the hotel, and he ran out from them to say, 'Well, it was as I told you, was n't it?'

"Of course I am not quite foolish enough to suppose that General Grant talked to me for any reason personal to myself. I think I was expected to write to you about it, — and have accordingly done so, — though I shall treat the conversation as otherwise strictly confidential for the present, until otherwise advised, at least."

and manipulated as it was by the men of "the old guard," with Mr. Conkling at their head, who had given General Grant's Administration as President its evil repute. The cry of Cæsarism was raised and with undoubted effect; and the profound feeling in opposition to a third term for any President — almost superstitious in its intensity — which pervades the great mass of Americans was invoked in protest against the Stalwart movement in behalf of Grant.

In spite of all the forces and influences of opposition to their design, the reactionaries appeared at the national convention at Chicago with a compact and devoted body of delegates, pledged to the nomination of Grant, which lacked less than fourscore of being a majority of the whole number. The Grant partisans met their first defeat when the convention, following the precedent of four years before, refused to allow the unit rule to be enforced by state delegations. But for the thirty-six ballots that were necessary to determine the nomination they did not waver in their allegiance. On the first ballot they stood 304 strong, on the last 307; on no ballot were they fewer than 302; but on none did they number more than 313. Mr. Blaine commanded 284 votes at first, and retained most of his strength till the break came; Mr. Sherman's vote grew from 93 to 119. The rest of the delegates were divided among Edmunds, Washburne, and Windom.[1] On the third ballot one vote was cast for Garfield, who had made an

[1] Mr. Hayes followed the proceedings at Chicago with intense interest. His comment in his diary, June 5, was: "This is the fourth day of the Chicago Convention. It is probable that no nomination will be made to-day. The friends of Grant are apparently working for delay. It now seems impossible to nominate Grant. Blaine's chances are good. It may be Sherman or a fourth — either Edmunds or Windom. The defeat of Grant is due to the unpopularity of the managers of his canvass and of their methods. The third term and the general lack of availability on account of his failure as President are also powerful elements in producing the result. The immediately valuable result is the condemnation of the machine as organized and managed by Conkling and Cameron. The latter is in all respects a failure as a politician. The final overthrow of the unit rule is a solid achievement. I greatly regret that Grant — our first soldier and a man of many sterling qualities — should be so humiliated and degraded as he has been by his unprincipled supporters.

"Let me emphasize in my last message the idea that the Constitution should be so amended as to lengthen the term of the President to six years, and so as to render him ineligible for a second term." — For some reason, however, Mr. Hayes abandoned the intention here expressed of repeating and emphasizing this recommendation.

eloquent speech placing Mr. Sherman in nomination. From that ballot on, with the exception of four ballots, he received one or two votes until the thirty-fourth ballot when his vote rose to 17; on the next ballot he had 50 votes. On the next and last ballot the friends of all the candidates except Grant, despairing of any possibility of nominating the man they preferred, went with a rush to Garfield and gave him 399 out of 756 votes. Then, to conciliate the crushed and humiliated Conkling, the convention nominated his chief political lieutenant, Chester A. Arthur, — the man who had been removed by President Hayes from the New York Custom-House for offensive political activity, — for Vice-President.

The nomination of Garfield was a decisive victory for the better elements of the party, a condemnation of the reactionaries, and a practical approval of the Administration of President Hayes. General Garfield had been one of the statesmen that visited Louisiana during the count of votes by the Returning Board and had served on the Electoral Commission. During Mr. Hayes's entire term he had been the Republican leader in the House of Representatives and the constant and most effective advocate and defender of the Administration's policies. Even the nomination of Mr. Sherman could hardly have been interpreted as a more emphatic expression by the party of commendation of Mr. Hayes's conduct of the Government. The platform adopted by the convention declared: —

> That the purity and patriotism which characterized the earlier career of Rutherford B. Hayes, in peace and war, and which guided the thoughts of our immediate predecessors to him for a Presidential candidate, have continued to inspire him in his career as Chief Executive, and that history will accord to his Administration the honors which are due to an efficient, just, and courteous discharge of the public business, and will honor his interpositions between the people and proposed partisan laws.

With Mr. Garfield as the head of the ticket this subdued, almost perfunctory, paragraph was dowered with fuller meaning and vitality. Mr. Hayes saw at once the strong points of Garfield's candidacy, and thought it altogether probable that it would be ratified by the country.[1] In his diary (June 11) he writes: —

[1] "General Garfield returned from Ohio this morning and spent several hours

General Garfield's nomination at Chicago was the best that was possible. It is altogether good. The convention accomplished a great deal of good. The defeat of the unit rule was an important achievement; the defeat of the rule-or-ruin Senators, who usurped the power of the people; the defeat of a third term against so great a chieftain as Grant. There is much personal gratification in it; the defeat of those who have been bitter against me; the success of one who has uniformly been friendly; Ohio to the front also and again; the endorsement of me and my Administration; the endorsement of civil service reform. The sop thrown to Conkling in the nomination of Arthur only serves to emphasize the completeness of his defeat. He was so crushed that it was from sheer sympathy that this bone was thrown to him.

But now, how to win? The contest will be close and fierce. We may be beaten. Oregon begins the campaign with a good first gun.

We must neglect no element of success. There is a great deal of strength in Garfield's life and struggles as a self-made man. Let it be thoroughly presented. In facts and incidents, in poetry and tales, in pictures, on banners, in representations, in processions, in watchwords and nicknames. How from poverty and obscurity, by labor at all avocations, he became a great scholar, a statesman, a major-general, a Senator, a Presidential candidate. Give the amplest details — a schoolteacher, a laborer on the canal, the name of his boat. The truth is no man ever started so low that accomplished so much, in all our history. Not Franklin or Lincoln even.

Once in about twenty years a campaign on personal characteristics is in order. General Jackson in 1820–24 [*sic*]; General Harrison in 1840; Lincoln in 1860; now Garfield in 1880. I know we can't repeat in details, but in substance we can. In this instance we stand on the rock of truth. Such struggles with adverse circumstances and such success. The boy on the towpath has become in truth the scholar and the gentleman by his own unaided work. He is the ideal candidate because he is the ideal self-made man.

If he were not in public life he would be equally eminent as a professor

with me and took dinner with us. He is a little hoarse from much talking, but is natural and sensible. I told him I thought the nomination would be ratified at the election with enthusiasm — that his personal history as an ideal self-made man would be a most popular feature of the canvass. He was anxious to know the feelings of Sherman as to his loyalty to him. I assured him on this point that it was as he would wish it to be.

"He told two omens. As he entered the convention the day of his nomination a man distributing leaves of the New Testament handed him a leaf which he (Garfield) put in his pocket. Long after the nomination, emptying his pockets, the leaf was found. The verse that was uppermost as it was folded read: 'The stone which the builders rejected,' etc., etc.

"At 1 o'clock P.M., the hour of the nomination, an eagle lit on Garfield's house in Washington and sat there several minutes and was seen by many persons." (Diary, June 15.)

in a college, as a lecturer, as an author, an essayist, or a metaphysician.[1]

[1] Writing to William Henry Smith, June 18, 1880, Mr. Hayes said apropos of the Chicago Convention: "I am delighted with it. How do you feel? Hoar for president, the unit rule (the corner-stone of the boss system) abolished, Cameron crushed, the Administration endorsed, civil service reform endorsed, the triumvirs beaten, the eager, self-seeking candidates beaten, the office seeking the man! What other convention in all history can show as much good and as little harm?

"Of course the final issue is in doubt, but it is a case full of hope, and a case for presenting a bold and confident front. John Thompson's advice should be our keynote in advising. The country is full of men of no party ties. Garfield is the ideal self-made man. Nobody since Dr. Franklin so completely the work of his own ambitious labor. Clay and Lincoln got their place by gifts direct from Heaven. But the full man, the trained man, the man equipped for achievement, in short, the man like Garfield, is made by his own perseverance and industry. What an encouragement to the ambitious young fellows of our country. It will surely tell in the canvass. If before the day of the Presidential election we can persuade the country that Garfield is surely coming in, we may carry several Southern States. What a victory that would be! But —"

CHAPTER XXXIV

AMONG THE PEOPLE; NEW ENGLAND AND THE SOUTH. — RECONCILIATION

DURING the first year of his term Mr. Hayes made several trips to different parts of the country, accompanied by Mrs. Hayes and members of the Cabinet. Early in May he participated in the ceremonies attending the opening of the permanent exhibition at Philadelphia. Just after this he was a guest at the annual Chamber of Commerce dinner in New York. In June he visited Providence and Boston, being present at the Harvard Commencement exercises, when he received the honorary degree of Doctor of Laws. On all these occasions, cities and individuals showered attentions — banquets, processions, parades, receptions, dinners — on the distinguished guests.[1] The President was

[1] Some prominent Democrats in New York and Boston were still so bitter at the result of the Presidential count that they refused to meet the President or to participate in any of the attentions shown him. — At the banquet given by the city of Boston Oliver Wendell Holmes read the following poem: —

TO R. B. H.

How to address him? awkward, it is true;
Call him "Great Father," as the Red Men do?
Borrow some title? This is not the place
That christens men "Your Highness" and "Your Grace";
We tried such names as these awhile, you know,
But left them off a century ago.

"His Majesty"? We've had enough of that:
Besides that needs a crown; he wears a hat.
What if to make the nicer ears content
We say "His Honesty, the President"?

Sir, we believed you honest, truthful, brave,
When to your hands their precious trust we gave,
And we have found you better than we knew,
Braver, and not less honest, not less true!
So every heart has opened, every hand
Tingles with welcome, and through all the land
All voices greet you in one broad acclaim,
Healer of Strife! Has earth a nobler name?

What phrases mean you do not need to learn;
We must be civil and they serve our turn:
"Your most obedient humble" means — means what?
Something the well-bred signer just is not.

frequently called upon to speak, but on these first visits he confined himself rigidly to the briefest possible acknowledgment of the courtesies he received. His reticence, while the public prints were ringing with discussion — effusive praise and bitter denunciation — of his treatment of the South, was variously interpreted according as men were friendly or hostile to his course. It was his idea that his actions should be allowed to speak for themselves, so far as he was concerned, let men discuss them as they might; and that on public occasions, in which men of every political faith were participating, political topics were to be avoided.

In August a trip was made to Bennington, Vermont, to attend the centennial celebration of the Revolutionary battle at that point, when the heroic deeds of Stark and his Green Mountain boys were glowingly set forth in speech and verse. After the celebration was over, Mr. Hayes visited the old home of his father at Brattleboro, and was entertained by Secretary Evarts at his Windsor country home. Then a trip for the President's party through the White Mountains and to the principal towns in New Hampshire was planned. This lasted several days, ending at Worcester, Massachusetts, the home of Attorney-General Devens. Everywhere the party was greeted with popular ovations, and at every stop the President addressed the people, urging a larger spirit of fraternity and conciliation and national unity. At first his kindly sentiments were rather coldly received, for the mass of New England Republicans doubted the good faith of Southern protestations and looked with disfavor on the President's course in Louisiana and South Carolina. But the earnestness and candor of the President, the speeches in support of his utterances by members of his Cabinet and especially by Postmaster-General Key, and the approval by the general public of his words as these were published broadcast, all had effect; and

Yet there are tokens, sir, you must believe;
There is one language never can deceive;
The lover knew it when the maiden smiled;
The mother knows it when she clasps her child;
Voices may falter, trembling lips turn pale;
Words grope and stumble; this will tell their tale
Shorn of all rhetoric, bare of all pretense,
But radiant, warm, with Nature's eloquence.
Look in our eyes! Your welcome waits you there —
North, South, East, West, from all and everywhere!

O. W. H.

June 26, 1877.

the later speeches of the trip evoked enthusiastic applause.[1] The keynote of all his speeches was struck most clearly at Plymouth, on the second day in New Hampshire, when he said: —

If there is any sentiment that has guided what we have done, it has been for a common nationality. It has been our desire to do something for the people of all the States. We have felt that war should end, and that peace should spread through all our borders. We hope, as a result of this, that men shall no longer be said to belong to the States of Louisiana, Maine, or Iowa, but be citizens of a common country. Beyond these questions of general good, there are questions on which all may differ. There are differences about policy and means of accomplishing the desired end, but we do believe that all good people everywhere desire reconciliation; that the laws are to be obeyed, and that the rights of each and every citizen should be respected, whatever his race or color. That being done, we may be citizens not of a county or State, but of a free and united country. It is because I believe you desire this that I see you gathered here together, Democrats, Republicans, and Independents. It is my hope that at the close of my Administration we may say, as Jefferson said, "We are no longer Federalists and no longer Republicans, but now we are all Federalists and Republicans"; and so to-night, for this night at least, let us say that we are all Democrats and all Republicans and better than that, all Americans.

[1] "At first the receptions were rather cool. The people were a little suspicious of this new Administration. On one side, they had been told by the politicians that it had surrendered to the South; on the other, that it was counted in by fraud. But the more they saw of the President and his Cabinet, the more they liked them. The patriotic little speeches, devoid of partisanship, ran ahead of the party on the wires and served as letters of introduction and commendation, and with them went accounts of the President's manly, unpretending bearing; his magnetic presence; his evident sincerity; and his hearty, cheerful way of meeting and greeting people. The crowds grew more and more demonstrative as the journey lengthened. Whatever prepossessions they had brought concerning his course as President, and whether they were Republicans or Democrats, they could not help liking the man. As far down as Concord, however, the audience that assembled to hear the speeches was not enthusiastic, but the President's simple platform of fraternal feeling between all sections and equal rights for all citizens won its way. There was no resisting the patriotism and good sense of that sentiment. He repeated it on all occasions until he fairly pressed it into the hearts of the people through all casings of misgiving and prejudice. The evening demonstration at Concord far surpassed that of the day, and the same idea of peace and good will, which was dominant in every speech the President made on the whole journey, was then rapturously applauded. After that, all doubt seemed to vanish from the popular mind. At Manchester a wave of spontaneous approbation greeted the sentiments of reconciliation and fidelity to the Constitution; at Nashua the current ran still higher, and at Worcester it was a torrent of genuine enthusiasm." (E. V. Smalley, staff correspondent, New York *Tribune*, August 24, 1877.)

At Concord, New Hampshire, the following day he said: —

I thought that it was not altogether proper in meeting this people that I should talk politics to them; men of all parties have met me; Democrats, Republicans, and Independent Republicans — Republicans that are satisfied and Republicans that are dissatisfied [applause and laughter]; and really I feel, by the way that laugh comes in, that that is a pretty large crowd here [laughter]. But at any rate, we are here not to talk politics, and it does not seem proper to me that one in my situation should argue as to the measures he thinks proper to pursue. What you want in this country as an Executive is one that shall execute. That I believe to be his duty, and all that I want of my countrymen is that charitable judgment that is proper to be given by men among men, looking each other in the face, who believe that upon the whole the man they are looking in the face, whether he is right or wrong, after all means to be right. [Cries of "Good" and applause.] It is not a good thing to say of a man that his intentions are good, — and there is a proverb that a very bad place is paved with good intentions [laughter]; and yet, after all, among this people the man that has the confidence of the people that he has good intentions has gained something, and perhaps I had better stop here and call upon some other — [cries of "Go on"]. Well, then, there is only one other thing, and that is that up here in New Hampshire, as in Ohio and every other State, you desire the Union to be a real union ["Amen!"] — union of hearts, union of hands. You would wish to have the entire Union secure, not merely by force, but by all the affections of the people in all parts of the country. [Applause.] Now, while we have had in the past distrust between sections, alienation and the hostility of bad blood, I believe, nevertheless, that with the cause removed, the old harmony and concord may return [cries of "Good"]; and I believe it will return; and I believe in adopting measures that will make it return speedily. [Applause, and cries of "Good."] Then I do not see but in the main we agree as to the most needful thing to be done, and our only difference is upon the measures by which we are to accomplish that end; and this I must decline altogether to discuss. [Laughter.]

And at Worcester, Massachusetts, two days later: —

You entertain very decided opinions as to the course the Government shall pursue; as to who shall administer it. There is a wide diversity of opinion as to the precise measures of the Government; but there are a few things I have acquired the habit of saying, since our trip through New England began, upon which the whole people of the United States are substantially agreed. We are all agreed that hereafter, and for all time, the territory of the United States, embracing as it does the best part of the continent, extending from the torrid zone on the south to the frigid zone on the north; from the Atlantic Ocean on the east to the Pacific on the west, is forever hereafter to belong to one nation and to one nation only. We are all agreed that all the States of the Union

shall have equal rights; that every State is equal to each other; that all citizens of the United States, black or white, native-born or naturalized, capitalists or laborers, shall have equal rights before the law, and that the Government of the people shall continue to be ever supreme over all. These are general ideas entertained about the Government. There are differences as to the methods, and whatever errors may be made you will remember that it is our purpose honestly to pursue a course in support of the propositions I have offered you.[1]

Two weeks after the return from New England the President set out on a trip to Ohio and the South, again accompanied by members of his family and Cabinet officers. A day was spent at Marietta, where a reunion of old soldiers was in progress. Here the President spoke in the same vein as in New England, winning loud applause when he said: —

All who are familiar with the history of our country know that a hundred years ago there was no North, no South. The fathers were one throughout the whole country. Washington and Jefferson were side by side with Franklin and Adams. Daniel Morgan and his Virginians marched from Virginia to Boston. They were at Saratoga; and Nathanael Greene and his Continentals were in the Carolinas. The whole country elonged to the fathers. It is to that state of harmony, of fraternal friendship, that we desire our country to return. We are for the Union as it is. We are for the Constitution as it is, with all its Amendments. We want the citizens of every State to feel at home in every other State. If a citizen of Vermont travels to Georgia or Texas, for business or pleasure, we want him to feel at home in those States. If a citizen of Texas or Georgia travels North, we want that citizen to feel at home everywhere throughout the Union.

We may make mistakes in method, mistakes in measures; but the sentiment we would encourage is a sentiment of nationality throughout the Union. We all regard the service of that four years' war; we regard that period of four years as the most interesting of our lives. We fought then, those of us who were in the Union army, as we believed, to make this forever hereafter a united people, forever hereafter a free people; and we rejoice, to-day, to believe that those who were against us in that struggle, now are with us on both of these questions, and will forever remain with us on both of these questions.

[1] "After four days in Vermont and four in New Hampshire, and a rousing evening in Worcester, we are home again in good health and spirits. The people seemed pleased. My speeches were wholly unpremeditated — not, therefore, very satisfactory to myself; rather slovenly and ill-constructed. I tried to impress the people with the importance of harmony between different sections, States, classes, and races, and to discourage sectionalism and race and class prejudice." (Diary, August 27, 1877.)

From Marietta the President and his family went on to Fremont to spend a few days at home. This stay was interrupted by a visit to Dayton to assist in the unveiling of the soldiers' monument at the National Soldiers' Home.[1] Besides the old soldiers a vast concourse of people gathered for the ceremony. After pulling the cord which released the canvas enshrouding the monument, the President contrasted that impressive work of art with the rude memorials which alone in war-time could be used to mark the graves of soldiers that fell in battle; adding: —

> Instead of that little fragment, perishable and fragile, we have these enduring monuments forever to gaze upon. How glorious the change! Does it not remind us of the growth in the sentiment of all mankind, of the appreciation of the work that these men did? Then we hardly knew what was to be the result of it all, but now we know that these men were fighting the battle of freedom for all mankind. Now we know that they have saved to liberty and to peace the best part of the best continent on the globe. As this work compares with the frail cracker-box memorials, so does the work which they have done compare with any conception of it which we then could have had. Forever hereafter we shall remember the American private soldier as having established a free nation where every man has an equal chance and a fair start in the race of life. This is the work of the American private soldier, and as that monument teaches many lessons let us not forget this one.

Two or three days later the President's old regiment, the Twenty-third Ohio, held a reunion at Fremont [2] which filled the

[1] The President was entertained at Dayton at the home of his old friend, R. C. Anderson, from the steps of whose house, it will be remembered, in the dark days after the election the year before, he made the reassuring speech to the throng of citizens that came to serenade him. On this occasion likewise he was serenaded, and spoke briefly, recalling the former speech and saying: "We want our nation to be a nation of love and peace, in which all will obey the Constitution as it is, with all its Amendments securing to all men equal rights; not because we have the power to enforce it, but because it is the will of the people that it shall be so. This is the spirit in which I desire the Government shall be administered."

[2] Before returning to Fremont the President journeyed to Richmond, Indiana, to call on Senator Morton, who had been mortally stricken a few weeks before and was soon to hear the final summons. The President was deeply affected when he saw the helpless invalid and bent over and kissed his forehead. The interview was brief, the Senator expressing his gratification at the visit and assuring the President that he should be well enough to be in the Senate in December when he should give the Administration earnest support. But the end came November 1. Before that time he had sufficiently rallied to return to his home at Indianapolis. His last expression on public affairs was a vigorous letter, published in the Indianapolis *Journal* on October 23, urging Republicans

town with visitors, among whom were many distinguished men — Chief Justice Waite, Lieutenant-General Sheridan, Secretary McCrary, Generals Cox, Rosecrans, Scammon, and others. President Hayes presided at the meeting in the public square, when Major McKinley, the orator of the day, eloquently recounted the services of the famous regiment,[1] and General Sheridan added a word in testimony of its "merits and gallantry." Short speeches were made by the other men of note present, and after the exercises were over the members of the regiment and their guests marched to Spiegel Grove, where Mrs. Hayes served them with supper, while old friendships were renewed and battles were fought over again.

The next day (Saturday, September 15) Mr. Hayes and his party journeyed to Cincinnati, being greeted at every town where the train stopped by throngs of people eager to see and hear the President. Cincinnati, brilliantly decorated and illuminated, welcomed its famous former townsman with a great public reception. Dr. Max Lilienthal, in his address of welcome, speaking of what the President had already accomplished for the unity of the country, said: "The sword is sheathed, and you stand before the nation, offering all the laurel of peace, brotherly love, and mutual good-will. The nation at large is with you; the nation applauds you." Mr. Hayes in his reply was glad to find in the greeting of his old neighbors evidence that his policy of conciliation met with popular approval; glad to assure his hearers that there were signs of returning prosperity. Continuing, he said: —

> We do not claim for any Administration the advantages that come to the country from good crops; but, my friends, it seems to me that we may ask some approval from our fellow citizens if we have placed a large part of our country in a condition to give their full attention to the

not to break with the President because of his Southern and civil service policies. The President, in ordering the executive offices closed on the day of the funeral, said of Morton: "In all things and at all times he has been able, strenuous, and faithful in the public service, and his fame with his countrymen rests upon secure foundations."

[1] Of the President Major McKinley said: "The surviving members of his old regiment receive him with boundless cordiality, with the highest affection and most genuine respect, and now, as always, rejoice most heartily in the high honors which, unsought, have come to him, and which none know so well as we how worthily he will wear, and how wisely and conscientiously he will discharge every duty which they impose."

raising of crops. As long as discontent with the Government and with their fellow citizens of the North existed in the Southern States, we all know that politics would receive more attention than business. But now I think I am authorized to say to you that the whole Southern country begins to think more of industry, of improvements, of business, than of politics. No part of our country can lack prosperity without affecting the prosperity of the whole country, and the prosperity of one section is the prosperity of all sections. It is with ideas like these that we enter upon the work of pacification. It has been my good fortune, during the last ten days, to be present at three great soldiers' reunions — soldiers of the North — and passing among them, and gathering their opinion, I found that, one and all, they are ready to come again to the ancient friendship and harmony with the South, upon the sole basis of a cordial recognition of, and obedience to, the Constitution as it now is, with all its recent Amendments.

I feel upon this subject that I am treading in the pathway marked out by the fathers as they stood, shoulder to shoulder and side by side — men of the North and men of the South; and I wish to see the day within the next three or four years when again all causes of dissension will, like slavery, be removed forever, and when once more the ancient concord and friendship will be restored. [Loud and prolonged cheering.] This is my hope; this is my ambition — to do something to promote and advance this great purpose. When you approve of that, my fellow citizens, you approve what I am trying to do.

Sunday was spent quietly at the home of the President's old friend, Dr. John Davis. Monday morning the journey was made to Louisville, attended by a committee of representative citizens of Kentucky that had been sent on to escort the President's party.[1] The chairman of this committee was W. N. Haldeman, president of the *Courier-Journal*, whose brilliant editor, Henry Watterson, eight months before was declaring that he would lead a hundred thousand Kentuckians to Washington to inaugurate Tilden. Now Democratic Kentucky was ready to outdo Republican Ohio in the cordiality of its welcome to Mr. Hayes. Nothing that Southern hospitality could suggest was omitted in the attentions paid to the illustrious visitors in their two days at Louisville. In his speech of welcome the Reverend Stuart

[1] In the party were the President and Mrs. Hayes and their two sons Birchard and Webb; Miss Platt and Miss McFarland; Secretary Evarts and two daughters and son; Messrs. Schurz, McCrary, and Key; Governor Van Zandt, of Rhode Island, and Governor Matthews, of West Virginia; besides newspaper correspondents and committee men. At Louisville Governor Wade Hampton, of South Carolina, joined the party.

Robinson declared that he voiced the feeling of all intelligent Kentuckians, regardless of party, in giving, "besides the formal official welcome, the warm welcome of the heart" to the Chief Magistrate who had won the confidence and esteem of the South "by his firm and steadfast determination to rise above all partisan considerations and be the President of the whole country."

The President in his reply spoke of the ancient friendship between Ohio and Kentucky; of the estrangement that came about and the war that ensued, due to a cause for which neither State was responsible and which neither alone could remove, and then proceeded: —

> The true history of Ohio and Kentucky is an epitome of all the rest of the country; and now when the cause is removed, whatever the hostility, whatever the prejudice, whatever the estrangement, let them also be removed. [Applause.]
>
> I have been fellow soldiers, during the last few days, among the soldiers of the Union, and the men more early to come together after the great division are those who made the acquaintance of one another on the field of carnage. I have found it true on the other side of the river, and I have found it true here in Kentucky. . . . Oh, we have come together. [Applause.] The demonstration in Louisville tells the whole story. I need not shout myself hoarse before this great audience, making a speech about the happiness and peace that we are now enjoying in all sections of the Union. This demonstration has made the speech of the occasion. Nothing can be added to it. I think we can confidently look forward to fraternal union on the basis of the Constitution as it now is, with all the Amendments.
>
> My friends, my Confederate friends, do you intend to obey the whole Constitution and Amendments? [Applause.] I thought you would. I believe you will, and that removes the last cause of dissension between us. I look forward happily to the realization of the bright vision of a popular English author when he said, "I see a vast confederacy stretching from the frozen North to the glowing South, from the white billows of the Atlantic to the calm waters of the Pacific main, that would contain one people, one language, and one faith, and everywhere a home for freemen, and a refuge of every race and of every clime to come together." [Great applause.]

All the other speeches by members of the Cabinet and Governors breathed the same spirit of reconciliation and fraternity. Notable among them was the speech of Governor Hampton, whom the President introduced as "a noble and patriotic man,"

and who was received with tumultuous applause as he commended the President for having "risen high enough to be able to say that he serves his party best who serves his country best — a sentiment which ought to find a response in the breast of every patriotic American."

From Louisville the party passed on to Nashville, Chattanooga, Knoxville, Atlanta, Lynchburg, and Charlottesville. Everywhere along the route people thronged to the stations to welcome and applaud the travellers. At the cities named the scenes at Louisville were repeated, the enthusiasm and warmth of welcome increasing with every new demonstration. The North observed with incredulity and pleased surprise, till at last it began to dawn upon the public consciousness that bygones were actually being treated as bygones, that men were ceasing to dwell upon the past and were fixing their eyes on the future,[1] and that a common feeling of nationality was penetrating the hearts of the people of all sections. Governor Porter at Nashville declared that Tennessee paid homage to the President because of gratitude to him "for bringing peace to the country." Governor Colquitt, of Georgia, welcomed the President to Atlanta as the "peacemaker between brethren estranged." "If the agencies," he went on, "which lately brought forty millions of people into fearful and unhappy conflict excited the attention of the whole world, the moral purpose, the firm will of the fortunate Magistrate who is first to control and calm the spirit which raised this mighty strife, will attract the admiration and plaudits of the good everywhere on earth where good will to man prevails."

Mr. Hayes's speech at Atlanta was the climax of all the kindly expressions that he had made on Southern soil, though it was the same in its general trend of thought. The more significant paragraphs were: —

> I suppose that here, as everywhere else, I am in the presence of men of both great political parties. I am speaking, also, in the presence of citizens of both races. I am quite sure that there are before me very many of the brave men who fought in the Confederate army [applause];

[1] As Wade Hampton said in his speech at Chattanooga: "If not forgetting the past, at least drawing a curtain over it, looking not at the bloody past, which is full of sorrow to all of us, but looking forward to a brighter and higher future, when all of us can march on bravely, honestly, truthfully, each one doing his duty to the whole country, leaving the consequences to God."

some, doubtless, of the men who fought in the Union army. [Applause.] And here we are, Republicans, Democrats, colored people, white people, Confederate soldiers, and Union soldiers, all of one mind and one heart to-day! [Immense cheering.] And why should we not be? What is there to separate us longer? Without any fault of yours or any fault of mine, or of any one of this great audience, slavery existed in this country. It was in the Constitution of the country. The colored man was here, not by his own voluntary action. It was the misfortune of his fathers that he was here. I think it is safe to say that it was by the crime of our fathers that he was here. He was here, however, and we of the two sections differed about what should be done with him. As Mr. Lincoln told us in the war, there were prayers on both sides for him. Both sides found in the Bible confirmation of their opinions, and both sides finally undertook to settle the question by that last final means of arbitration — force of arms. You here mainly joined the Confederate side, and fought bravely, risked your lives heroically in behalf of your convictions; and can I, can any true man anywhere, fail to respect the man who risks his life for his convictions? [Prolonged cheers.] And as I accord that respect to you, and believe you to be equally liberal and generous and just, I feel that, as I stand before you as one who fought in the Union army for his convictions, I am entitled to your respect. [Cheers.] Now that conflict is over, my friends.

Governor Hampton repeated to you last night the way in which I have been in the habit of putting it since I came to the South. There was a larger proportion of trained soldiers in your army at first than in ours; in a much larger proportion you were good marksmen and good horsemen — and that is two thirds of a good soldier. [Laughter.] But gradually we learned to ride, too [laughter]; and, as some of you know, gradually we learned to shoot. [Renewed laughter.] I happen to know how well you shoot. [Cheers.] Well, having learned how to ride and shoot, then it was a case of fight between Greek and Greek; and when Greek meets Greek you know what the conflict is; and more than that, you know exactly how it will terminate. That party in that fight will always conquer that has the most Greeks. [Laughter and cheers.] So, with no discredit to you and no special credit to us, the war turned out as it did. [Cheers.]

Now, shall we quit fighting? [Cries of "Yes, yes!"] I have been in the habit of telling an anecdote of General Scott and a statesman at Washington, in which the statesman said that as soon as the war was over and the combatants laid down their arms, we should have complete peace. "No," said General Scott, "it will take several years in which all the powers of the general Government will be employed in keeping peace between the belligerent non-combatants!" [Laughter.] Now, I think, we have got through with that [cheers], and having peace between the soldiers and the non-combatants, that is an end of the war. Is there any reason, then, why we should not be at peace forevermore? We are embarked upon the same voyage, upon the same ship, under the same

old flag. Good fortune or ill fortune affects you and your children as well as my people and my children. [Cheers.]

Every interest you possess is to be promoted by peace. Here is this great city of Atlanta, gathering to itself from all parts of the country its wealth and business by its railroads; and I say to you that every description of industry and legitimate business needs peace. That is what capital wants. Discord, discontent, and dissatisfaction are the enemies of these enterprises. Then, all our interests are for peace. Are we not agreed about that? What do we want for the future? I believe it is the duty of the general Government to regard equally and alike the interests and rights of all sections of this country. [Cheers.] I am glad that you agree with me about that. I believe, further, that it is the duty of the Government to regard alike and equally the rights and interests of all classes of citizens. [Cheers.] That covers the whole matter. That wipes out in the future in our politics the section line forever. [Cheers.] Let us wipe out in our politics the color line forever. [Cheers.]

And let me say a word upon what has been done. I do not undertake to discuss or defend particular measures. I leave the people with their knowledge of the facts to examine, discuss, and decide for themselves as to them. I speak of general considerations and notions. What troubles our people at the North, what has troubled them, was that they feared that these colored people, who had been made freemen by the war, would not be safe in their rights and interests in the South unless it was by the interference of the general Government. Many good people had that idea. I had given that matter some consideration, and now, my colored friends, who have thought, or who have been told, that I was turning my back upon the men whom I fought for, now, listen! After thinking over it, I believed that your rights and interests would be safer if this great mass of intelligent white men were let alone by the general Government. [Immense enthusiasm and cheering for several minutes.] And now, my colored friends, let me say another thing. We have been trying it for these six months, and, in my opinion in no six months since the war have there been so few outrages and invasions of your rights, nor you so secure in your rights, persons, and homes, as in the last six months. [Great cheering.]

Then, my friends, we are all together upon one proposition. We believe, and in this all those who are here agree, in the Union of our fathers, in the old flag of our fathers, the Constitution as it is with all its Amendments, and are prepared to see it fully and fairly obeyed and enforced. [Cheers.] Now, my friends, I see it stated occasionally that President Hayes has taken the course he has because he was compelled to it. [Voices — "We don't believe it!"] Now, I was compelled to it. [Applause.] I was compelled to it by my sense of duty under my oath of office. [Intense enthusiasm and cheers.] What was done by us was done, not merely by force of special circumstances, but because it was just and right to do it. [Cheers.]

Now, let us come together. Let each man make up his mind to be a

patriot in his own home and place. You may quarrel about the tariff, get up a sharp contest about the currency, about the removal of state capitals and where they shall go to [laughter], but upon the great question of the Union of the States and the rights of all the citizens, we shall agree forevermore.

There was no mistaking the enthusiasm which these sentiments of the President evoked. "It was plain to one on the platform, looking in the eyes of the multitude, that the people liked his face and manner to begin with; and before he had spoken a dozen sentences there could be no doubt that they liked his speech, for their applause was unmistakably spontaneous and earnest." [1]

In his last speech on the trip, that at Charlottesville, the President rejoiced that everywhere in the States through which he had passed he had found "growing and increasing sentiments in behalf of the Union, the Constitution, and the Administration which regard alike the interests and rights of every section and every State; which regard alike and equally all classes, without distinction of race or color. The equality under the laws of all citizens," he continued, "is the corner-stone of the structure of restored harmony from which ancient friendship is to rise. In this pathway I am going, the pathway where your illustrious men led — your Jefferson, Madison, Monroe, and your Washington. Our hope is that the people of the whole country will unite to reconcile the feeling which prevailed when the Union was formed. We wish to see what the fathers gave us preserved and transmitted to those who come after."

Major Bickham, of the Dayton *Journal*, who accompanied the party with many misgivings, returned to write glowingly of the "amazing journey." "It was more in the nature of a triumphal march," he declared, "celebrating the reëstablishment of peace and good will, than anything else with which I can compare it; and the President deported himself with a dignity, ability, self-possession, and manliness that was deeply gratifying to those who know him well. I believe that the President's Southern tour will prove vastly beneficial to the country. It has already established a better feeling, and has opened wide the gates to permanent pacification." [2]

[1] Staff correspondence New York *Tribune*, September 24, 1877.

[2] The impression made by this long Southern excursion was deepened a month

It is true, of course, that all sectional bitterness and mutual distrust, misunderstanding and recrimination between North and South did not cease. The causes were too deep-seated, the conditions were of too long duration, to be removed or reformed except by slow and patient processes. It seemed for the moment, when all the country was stirred by the patriotic eloquence of the Southern leaders in their welcoming speeches and by the enthusiasm of the popular greetings to the President, that North and South were already completely reconciled. The event proved that this was far from the fact. Its realization was delayed undoubtedly by the activities of foolish or selfish politicians, as well as by the outbreaks of violence and terrorism which the desperate exigencies of local politics were supposed in parts of the South to justify. But the attitude Mr. Hayes assumed and maintained toward the South; the large and liberal and benevolent spirit in which he met the Southern people and discussed their relations to the general Government; the sympathy, the patience, the confidence he displayed in dealing with sensitive, high-spirited, and easily offended Southern leaders, — all this, while it did not, as Mr. Hayes had fondly hoped it might, make a breach in the political solidity of the South, exercised vast and permanent influence in easing the asperities of mutual intercourse and discussion of the two sections, in bringing about a far better understanding of each other, and in turning the thoughts of the country more and more away from the issues of the war to the new problems that were pressing for solution.

later by a visit of the President and members of the Cabinet to Richmond, Virginia, when the greatest cordiality and good feeling were displayed, and the orators of the two sections vied with each other in patriotic utterances.

CHAPTER XXXV

AMONG THE PEOPLE; THE NORTHWEST — AN HONEST DOLLAR

NUMEROUS short trips were made by the President in the following year to attend civic gatherings or celebrations of one sort or another. The most notable of these was his visit to Gettysburg to take part in the Memorial Day exercises of May 30. He was attended by many Congressmen and high officers of the army and of the executive departments. General Butler was the orator of the day, and undaunted by a persistent shower of rain he spoke most eloquently of the services of the private soldier. Then, with the rain still descending, the President made this brief speech: —

Fellow Citizens, — The battle of Gettysburg will probably always be regarded as the battle which did more than any other to determine the result of the great Civil War in the United States. The honored dead who fought and perished here will therefore be forever held in special and grateful remembrance. The great martyr of the conflict was Abraham Lincoln. He, by his immortal words spoken here, has indissolubly linked his name, fame, and memory with the battle of Gettysburg. Lincoln gave his life, and the brave men who responded to his call gave their lives, for the Union, for liberty, and for a stable constitutional government. They believed that our institutions were equal to any emergency, and that they ought to be maintained at the cost of property or of life. If our assembling in this place shall fitly honor the men we now wish remembered with gratitude, it will be because, beholding these scenes and contemplating the example of the heroes who made Gettysburg illustrious, we shall be able to estimate more wisely the value of our country and of her institutions and be better prepared for the duties which, under Providence, have devolved upon us. Let us here give heed to the words of Abraham Lincoln; let us "here highly resolve that these dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth."

A month later the President with a numerous party went to Wyoming, Pennsylvania, where, on July 3, the centennial anniversary of the Wyoming massacre was commemorated by a

great outpouring of people. Mr. Hayes made a short speech, in which he said: —

To-day's celebration is peculiar. It is not the celebration of a victory; it is a pioneer celebration, commemorative of the virtues of the men and women who reclaimed the wilderness. Every part of the country has its pioneer history. All had similar disasters. And to-day in Dakota and Arizona, and on the borders of Texas, the people are having like experiences. The virtues and hardihood of Wyoming are the virtues that we celebrate to-day; and the lesson of this day is that the pioneer settlers should be protected.

Indians have been led by bad white men, and war has sometimes been inevitable. In all cases we want to see that settlers have sufficient military forces to protect them. The history of Wyoming has been repeated for want of sufficient force to make war upon the savage successfully when it has become necessary to fight him. These two points I wish to make: first, that the red man should be treated with justice; second, if war shall become necessary, there should be a power sufficient to protect the white man and compel the red man to submit to law and order.

In September the most important trip of the year, and one of the most important of his entire term of office, was undertaken by the President. This was to Chicago and the Northwest as far as Fargo, North Dakota. The principal object of the journey was to speak at the Minnesota State Fair. But every town through which the President's party could pass was eager to see and hear the President, and the trip became a progress much like that of the autumn before through the South. Everywhere the President was received with the greatest popular enthusiasm, and every sort of official attention and public demonstration in his honor filled the time. The year before the President on all occasions had sought in his speeches to mollify the spirit of sectional animosity and to win wider approval of his conciliatory course in relation to the South. This year the country was in the midst of the congressional campaign. While business conditions had improved and the signs of returning prosperity were many, while the plans of the Administration for the approaching resumption of specie payments had brilliantly succeeded and the premium on gold had sunk almost to the vanishing point, men were still complaining of hard times, were fearful that resumption would be attended with further financial stringency, and were clamorous for more and cheaper money. In his speeches

this year, therefore, the President dwelt upon the improved condition of the public finances, upon the growing indications of returning prosperity; and he proclaimed with all his old-time vigor the sound-money principles which he had always defended and had sought to have enforced. His statements of fact and his forceful arguments, couched in language that appealed to the average intelligence, and presented with the earnestness of conviction, had wide influence in allaying the fears and in stimulating the hopefulness of the country in regard alike to the Government's financial stability and to the early return of prosperous conditions in the business and industrial world.

Mr. Hayes set forth his views with greatest fulness and elaboration in the carefully prepared speech which he delivered at the Minnesota State Fair at St. Paul (September 5). He began by saying: —

I know very well that nothing which I can do or say will be a fitting and adequate return for your kindness, but I earnestly desire to say something touching the material interests of the country which will tend, at least, to encourage those who need encouragement, and to give increased hope to those who are already hopeful.

The most interesting questions in public affairs which now engage the attention of the people of the United States are those which relate to the financial condition of the country. Since the financial panic and collapse five years ago, capital and labor and business capacity have found it hard to get profitable employment. We have had what is commonly and properly known as hard times. In such times men naturally ask, What can be done? How long is this stagnation of business to last? Are there any facts which indicate an early return to better times? I wish to ask your attention for a few minutes while I present some facts and figures which show a progressive improvement in the financial condition of the general Government. It will be for you to consider what inferences may fairly be drawn as to their bearing on the question of a revival of business prosperity throughout the country.

The financial condition of the Government of the United States is shown by its debt, its receipts and expenditures, the currency, and the state of trade with foreign countries.

The President then set forth in detail the great reduction in the national debt, with the consequent diminution of the annual interest charge, the decrease in public expenditures and the lowering of taxes, and the vast increase in foreign trade, the exports for the current year being the largest in the history of the country. He proceeded: —

As we have already seen, the balance of trade in the last three years *in favor* of the United States is $488,582,539, or an average of more than $160,000,000 a year. The balance of trade the last year, if compared with that of the two years next before the panic, shows a gain in favor of the United States, in one year, of over $400,000,000.

It is not necessary that I should dwell on the importance of this favorable state of the balance of trade. Balances must be settled in cash — in the money of the world. The enterprises of our business men reach out to all parts of the world. Our agricultural and manufactured products more and more seek and find their markets in foreign countries. The commerce of all parts of the world, bound together more than ever before by steamships, railroads, and the telegraph, is so connected that it must be conducted on the same principles and by the same instrumentalities by all who take part in it.

We cannot if we would, we should not if we could, isolate ourselves from the rest of the commercial world. In all our measures for the improvement of our financial condition we should remember that our increasing trade with South America and with the Old World requires that our financial system shall be based on principles whose soundness and wisdom are sanctioned by the universal experience and the general judgment of all mankind. With diminished and still diminishing public burdens of debt, expenditures, and interest, with an improved condition of currency and foreign trade, we may well hope that we are on the threshold of better times. But we must not forget that the surest foundation of a restored financial prosperity is a sound constitutional currency and unstained national credit.

There is another interesting subject that is worth giving attention to, and I think is encouraging and full of hope. The surplus population of the Atlantic slope of States are finding their way, as they have never done before, to the beautiful States and Territories at the West. And what does that mean? It means relief to the East. The surplus population that goes off gives a better opportunity for employment of labor and industry there and here, and in the new States they are making their homes, and they are furnishing them a market for the supplies from the old States. But it has more than double advantages. There are three advantages: It relieves the States, it furnishes a market to the old States, and with their products in the new States, they help to swell the tide of exports to the old countries. That's what this change of population means, and you know much more about it than I do. You have lived here and seen it. . . .

Now, my friends, with this picture, as I think, so full of hope for the future for you and me, as individuals, I do not venture with confidence upon predictions of prosperity reviving. I have no spirit of prophecy, but let us see how it stands. The debt is a great burden upon labor and capital. It is greatly diminished and is still diminishing. Taxation is a great burden on labor and capital, and it is greatly diminished and still diminishing. So, too, as to the expenses of the Government; and

then with that which helps us — a sound currency — and immigration coming, may I not confidently say that these are indications at least that we are marching to the threshold of reviving general business prosperity? [Great applause.]

And now, shall we look around for a new way to pay old debts, or shall we march in the paths marked out by the fathers — the paths of honesty, of industry, of economy? Shall we do what Washington and Franklin would advise? That is the question before the people to-day, my friends. I enter upon no argument upon a disputed question, but I say as my opinion — we may be mistaken, all of us; but I believe that a restored financial condition depends upon an honest currency. [Great applause.] And why do I say this? The commerce of the world is the commerce now in which we are taking part, and that is the same thing the globe around. We have with us to-day the gentleman who is at the head of the signal service of the United States. He is known popularly as "Old Probabilities." [1] [Great laughter.] He is not old, and I fear he is not always probable [renewed laughter], but certainly in the science of meteorology he has gone further than any other, and what does he tell us? He says that this atmosphere of ours, this circumambient air that surrounds the globe, is one, is a unit; and that they have discovered by observations all over the globe that a great commotion, a great disturbance, on any sea or any continent, sooner or later, is felt on every other sea and every other continent. And so the commerce of the world is one. When there are very hard times in one great nation, sooner or later it goes clear around. We should then base our financial system on principles, and by instrumentalities that are sanctioned and approved by the best judgment of the whole commercial world. In conclusion, I repeat, if we want our standard of national prosperity to be based upon sure and safe foundations, let us remember, let us all remember, that its best security is an untarnished national credit and a sound constitutional currency. [Great and prolonged applause.]

In his many subsequent speeches Mr. Hayes went over much the same ground, with variety of statement and illustrations and with constantly increasing stress on the folly of dealing with the finances and monetary system of the country except in accordance with the universal and imperative laws that determine and govern value. At Madison, Wisconsin (September 10), after describing the Government's financial condition and the business prospects of the country, he went on in this vein: —

May I talk a little of my own convictions as to remedies that are proposed for these hard times? I do not like to mingle in mere partisan discussions and I do not propose to; but I have some friends who tell

[1] Brigadier-General Albert J. Myer.

me, and very good friends, too, — as I heard at my home, — that, after all, our trouble is that our currency is not cheap enough and that it will not stay at home. It goes abroad, and therefore they tell me that they want a currency that is so cheap that it is better for us than that costly currency, gold and silver, and of such quality that it will not go away. [Laughter.] Now, I say that that is a very desirable quality in currency. You have all found it so. If you can keep it, it is a good thing. Let us talk about that a little. First, the cheapness of the currency. They tell me what they wish is this: The United States ought to say [the speaker holding up a piece of paper the size of a dollar bill], "This is One Dollar anywhere in the United States, by act of Congress" — a piece of paper about the size of that, probably. "Of course, we do not want it counterfeited." I am afraid it would not be a great while after it was issued that nobody would want to counterfeit it. [Laughter.] But, in order that it should be as good as possible, we would print it on good paper like a national bank note, or a greenback — good type, good-looking pictures on it, good engraving. And now what does it cost? They say they want a cheap currency. What does that "dollar" cost? If we have a gold dollar, or a silver dollar, we know what it costs: it costs, take the world over, about a day's work or about a bushel of wheat; that is what each dollar costs. But what does the new currency cost, each dollar? Well, it costs rather less than a cent! That piece of paper, all pictured off nicely, ready for currency, costs about a cent. Now, that is a good operation. To make a dollar out of gold or silver will cost us a bushel of wheat or a day's work, but this dollar costs only the one hundredth part of a day's work, or of a bushel of wheat. That is a good operation. "We will do that; we will do that." But stop! Is that best? Let us see. Why, it don't cost any more to make that "two dollars" than "one dollar." [Laughter.]

Then, were we not a little hasty only to make it "one"? We will make it "two," and it still costs only a cent. Now, my friends, don't you see that we made only ninety-nine cents on it before; now, we make a dollar and ninety-nine cents? But if we would undertake to make two dollars out of gold and silver, it would take two days' work or two bushels of wheat. But it is just as cheap to make that "ten dollars." Let us make it ten dollars, then, and make nine dollars and ninety-nine cents in the operation. Instead of paying for it ten days' work or ten bushels of wheat, we will give just exactly the one hundredth part of a day's work for our ten-dollar bill. We are doing well, but not wisely, for we might just as well make it a hundred — it will cost no more; or a thousand — it will cost no more; and now we will pay off our whole national debt with it, and that is what we want, they tell us. Why stop at that? Why not pay all the expenses of our Government with it and not tax the people at all? [Laughter.] Now, my friends, does n't it begin to dawn upon the simplest mind that there is some mistake about this? That that is inflation, and that inflation is nonsense? The *real thing* is what we want — no sham.

But the friends say: "It will stay at home; it won't go abroad; good here, good nowhere else; therefore, it will stay here." Is that good? Let us see about that. Let us have the United States act upon that principle; none of our money will be taken abroad — and so we will keep it. If that is good for the United States, would it not be well for Wisconsin? Wisconsin sends her money to New York and to New England and the big cities East. Why not keep it at home? Let Wisconsin make her own money in the same way, then; and if that is good for Wisconsin, why is it not good for Madison — not be sending off to Milwaukee and Chicago, and so on? Let Madison make her own money! If it is good for Madison, why is n't it good for John Smith, the grocer? Let him make his own money: 'This is One Dollar. John Smith." He will never spend it; he can keep it; it will stay at home. [Great laughter.]

No, no, my fellow citizens, the men who made the Constitution of the United States said: "Congress shall have power to *coin* money." Gold and silver are the money of the world and have been ever since the days of Abraham, and you cannot change it by legislation. Either that, or paper that will command that, is a sound constitutional currency.

Let us remember that with every day more and more our products of the soil and our products of the shop are going to Europe connecting us with the commerce of the world. We should conduct our financial system, then, on principles and instrumentalities such as the experience of the world and the general judgment of the commercial world sanction, and we know what these are. We know how the commerce of the world is bound together. Anything seriously affecting any great nation soon affects all the others. This panic that has afflicted us has afflicted others also, clear around the globe.

Now, my friends, let me say: The true need is, when we are marching steadily on to the threshold of better times, "Be wise enough to let well enough alone." [Applause.] What we want is a restoration of confidence. A restoration of confidence comes only with stability in legislation and in conduct. Let us, then, try no new experiments, but march in the path marked out by the fathers. Let us say our restored financial prosperity shall rest upon a national credit unimpaired, without taint or stain, and upon a currency solid and constitutional — that defrauds no one. Let it be a currency such that honest capital — for there is honest capital and plenty of it; that honest business enterprise — for there is honest business enterprise; that honest labor — for there is honest labor, shall all have, also, honest money. [Cheers.]

At Chicago a few days later, before the Board of Trade, Mr. Hayes gave this sound advice: —

We have passed through a period of business depression during the last five years. For more than a year past it has been my impression

that the causes of that depression had gradually disappeared, and that indications of better times could be seen; and it is my impression to-day that that which has postponed a restoration of business activity in the country, during the last year or year and a half, has largely been not any real cause for depression, but a lack of confidence in the business community in the stability of legislation; that if, a year ago, there could have been among business men in this country everywhere confidence in what was to be the policy of the Government, I think we should have had better times to-day. Then, my friends, the few plain words I wish to say are these: —

Let us now, let us for the coming, the immediate future, do all that we can to secure, to inspire, hope and confidence in the business community. And if any instability of legislation, or the apprehension of instability in our legislation, is keeping us back, let us do all we can to see that those who are charged with legislation in this country have the wisdom to let the business of the country alone. [Applause.]

Now, you and I, gentlemen, may not agree — we probably do not agree — hundreds of those present do not agree with me as to the wisdom, for example, of the Resumption Act. Many of you would not have voted on that question as I would have voted; but it is now a thing of the past. We have gone through whatever of evil belongs to that act. We have come to a point where coin and paper are abreast of each other. Let us, then, for the remaining part of this transaction let well enough alone — not, by entering anew upon schemes untried, have another such period to go through. The gentleman associated with me in the Government who has especial charge of this matter — I allude to the Secretary of the Treasury, Mr. John Sherman — has undertaken, as I think, to be square, and frank, and open with the business men of the country. You may not agree with him, but this merit, it seems to me, may be claimed for him: He has had in this matter no secrets. What he was doing he has endeavored to inform the country about. He has been open with it; and so in the future, if I understand my own wish in the matter, it is that you may know exactly what to count upon; and this, in all business transactions, you understand better than I do, is more than half the battle. [Applause.]

I do not propose, then, to say a word in favor of any other policy than this: Let us not undertake, in this important matter, to regulate the currency — to tinker it too much. Too much legislation on that subject, as, indeed, upon all other subjects, is one of the evils of our time in America. [Applause.]

I leave off as I began. Let us see, in the gradual approach to the same standard of all the paper circulating as money in the United States, signs of hope. The march of events, if undisturbed, is plainly leading us on to better times. [Cheers.]

Mr. Hayes and his family returned to Fremont September 14 and remained there for the next ten days, though with visits to

Willoughby, for the reunion of the Twenty-third Regiment, to Dayton for memorial services at the Soldiers' Home, and to Toledo, where, before an enormous crowd at the Tri-State Fair, the President once more expounded the sound-money views which had been the burden of his recent speeches.[1] At no point was plain speaking more timely, as Toledo was deeply infected with the inflation madness. On the return journey to Washington a stop was made at Pittsburg, where the President was made welcome with endless courtesies, public and private. Here the President declared that better times were approaching and pleaded for the maintenance of unsullied national credit.

We have reached the point [he repeated] in the march of events when we may go forward and enter upon an era of good times; or we may by unwise conduct and unwise legislation postpone it. There are those who do not believe, as I did, that the Resumption Act was a good thing. But for good or evil we have gone on through it. Whatever suffering it entailed we have suffered it; now shall we go over that desolate journey again, or shall we save what we have got? That is the question. In this condition of things as to all business interests, all manufacturing and commercial, I suggest whether it is not the highest wisdom to let well enough alone; not now to disturb legislation — not now to tinker. Some want a change as to tariff and some as to currency. This is no time for radical or extensive changes on either of these subjects.

I wish to say, finally, that honest capital has needs and has rights, and there is honest capital. Honest business enterprise has rights and needs, and there is honest business enterprise. And honest labor has needs and rights, and there is an abundance of honest labor. Often to-day, as I went through those mills, and saw the men labor; as we

[1] The Cincinnati *Enquirer* introduced its report of the President's speech with these interesting headlines: —

HAYES' HOBBY

The Ugly Animal Again Trotted Out.

Glorious Things Done for the Country by the Ruinous Resumption Policy.

A Laborious Effort to Convince the People that Universal Bankruptcy is a Blessing in Disguise.

travelled up the inclines; as we sailed on a tug up your river, and reflected what results might attend defective or dishonest work in any of the various parts of the machinery, I realized what you must all realize — that our very lives depend on the honesty of labor! I am sure I will say not one word that is not in strict accordance with its interest; and I give it as my opinion, finally, that nothing is more essentially in the interest of honest capital and honest business enterprise and honest labor — than HONEST MONEY![1]

October 9 the President paid a visit to Montpelier, the old home of Madison, in Orange County, Virginia. At Orange Court House, where his party[2] left the train, he was welcomed to Virginia by ex-Lieutenant-Governor Thomas. Colonel John Willis, a grand-nephew of Madison, welcomed the visitors to Montpelier and in response to his words of greeting, Mr. Hayes made the following speech: —

Ladies and Gentlemen, — It is a great gratification, indeed, to be so welcomed to the home of Madison. You have heard the beautiful address just delivered by the nearest survivor of James Madison, a man whose name will be held in grateful remembrance by the lovers of liberty and stable government as long as liberty and constitutional government exist on earth. Madison having so linked his name and memory with the best law — the Constitution — the world has ever known, his

[1] "Upon the whole, the Western trip was the happiest and most useful trip yet made. It certainly strengthened my Administration and our greetings showed that we are already strong." (Diary, October 1, 1878.)

[2] The President was accompanied by Mrs. Hayes, Secretary Schurz, Attorney-General Devens, Mr. Rogers, Colonel Mosby, Miss Mosby, Edwin C. Marshall (only son of the famous Chief Justice), members of the committee of invitation and others.

Mr. Hayes wrote of this visit in his diary (October 10): "A crowd of people met us at Orange, and there was speaking. Our train of carriages on a fair Virginia road reached the mansion in an hour. It was a satisfaction to find so admirable a place. The house large, with piazza and tall large pillars, like — somewhat — Arlington, on an elevation, with perhaps fifty acres of lawn in front, and a noble view of the Blue Ridge. The great trees were very interesting to me. A white oak near the grave, twenty-one feet in circumference. A chestnut on right flank of lawn, thirty-seven feet in circumference. A black walnut, right of house, fifteen feet; a poplar (tulip) eighteen feet. The oak and chestnut were low and apple-tree shaped: the poplars and walnuts, of which there were many, tall and beautiful. The place is not well kept up, and is for sale cheap; forty thousand dollars certainly would buy it with eleven hundred acres; and probably thirty thousand dollars. A great lack of enterprise, thrift, and comfort in that region, but the people were many of them well informed and generally, perhaps universally, friendly and well disposed to newcomers. . . . On the piazza we were welcomed with hearty handshaking by the present owner, Mr. Carson, and by a carefully prepared speech by Colonel Willis. An interesting and enjoyable day."

fame is forever safe. He began the work of the formation of the Constitution, and in the convention he was a leading spirit, his wisdom and advice contributing to that result. After the Constitution was framed by the convention, it was for him to persuade the people to adopt it. In the convention of Virginia there was a great struggle as to whether that Commonwealth should ratify the Constitution, and it was largely due to the respect and appreciation the people had for the character of Madison, and the influence of his counsels, that this question was carried in the Virginia convention. He assisted in carrying the Constitution into effect as a member of Congress, as a member of the Cabinet, and as President of the United States.

After the close of his public life, no longer disturbed by party conflicts, he survived for many years, an interested spectator of passing events. Distinguished men of his time were glad of the opportunity to sit at his feet and hear his words of wisdom and patriotism. In my remarks at Orange Court House to-day I called attention to an estimate of this country by Mr. Gladstone, which I do not think too high. It is contained in an article written by that distinguished statesman, entitled "Kin Beyond the Sea," in which he says: "The American Constitution, so far as I can see, is the most wonderful work ever struck off at a given time by the brain and purpose of man. It has had a century of trial, under the pressure of exigencies caused by an expansion unexampled in point of rapidity and range, and its exemption from formal change, though not entire, has certainly proved the sagacity of the constructors and the stubborn strength of the fabric."

We may well honor the name and memory of the man who did so much for the present and the future of the country. In view of this beautiful scene, the magnificent range of the Blue Ridge, this verdant lawn and hospitable mansion, here at the home of Madison we may surely say that if the advice and patriotic purposes of this great man had been observed, we should have been saved from civil strife. And as in the past, so in the future, there are no troubles that can arise in the administration of affairs in our country that cannot be settled by a recurrence to the principles of Madison — principles which inculcate the submission of all sections, States, communities, and citizens to the Constitution and laws of the land. The bottom and foundation principles on which Madison built will always afford us the means of adjusting all our difficulties.

I, however, have no fears. Questions fraught with danger may recur, and we may sometimes be disposed to look on the gloomy side; but let us all hope that with the model Constitution to guide us, the worst that can ever befall us is over. Nothing can be so dangerous as the events that have already transpired, and the scenes through which we have already passed.

A few days later the President with a party of friends visited the fair at Winchester, Virginia, to which he was welcomed by

Governor Holliday. Naturally, in his speech on this occasion, Mr. Hayes recalled his experiences in that region in the strenuous days of 1864. He rejoiced to meet the people there under the present auspicious circumstances, knowing that whatever bitterness might elsewhere be felt, here the general wish was that all sectional controversies might be permanently settled, and peace and union restored and established. In his speeches in the Northwest he had discussed the finances of the Government, in the hope of giving people encouragement and confidence. Now with a similar end in view he desired to give briefly the views entertained by the great Virginia fathers of the country on the subject of what is a sound, safe, and stable currency. Thereupon he quoted from the writings of Washington, Jefferson, Madison, George Mason, and Chief Justice Marshall, passages which strongly condemned the emission of paper money; and ended his speech with this vigorous paragraph: —

> It is not necessary for my purpose to make further quotations from the fathers. They embodied their opinions in the American Constitution. The money of the Constitution is coin. In making money which has intrinsic value the constitutional money of our country, the fathers adopted the money of the world. By a law resting on the concurring judgment and common consent of mankind, in all ages and countries, the precious metals have been the measure of value — the money of the world. It is a law that is fundamental and irrepealable. It can no more be repealed by act of Congress than the law of gravitation. If we would have an early return of business prosperity, let us not try to be wiser than the fathers, wiser than the Constitution, and wiser than human nature. In the present condition of our country, our progress towards prosperity as a nation and as individuals depends upon having a good public credit and a sound constitutional currency.

The President was much gratified with the general result of the elections, though he was distressed and indignant at the campaign and election methods again employed, despite the promises and assurances given him by Southern leaders, in some parts of the South. The old habit of terrorism and violence could not easily be laid aside.[1] While the Democrats again

[1] How many reputable people in the South regarded the methods used to control or suppress the colored vote is fairly reflected in the following paragraph from the Charleston *News and Courier*, quoted in the New York *Times* of February 10, 1881: "We do not say that there has been fraud at elections in the South, but such fraud is no more regarded as a crime than shooting a burglar is. This can

elected a majority of the Congress, it seemed clear to the President, from the success of the Republicans in state elections and in the general popular majorities, that the predominant sentiment of the country was with the Republican party; that it condemned the effort of the Potter Committee to reopen the question settled by the Electoral Commission; and that it sustained the policies of the Administration — especially that relating to the public finances. Mr. Hayes had the right to feel that his speeches, while in no sense partisan, had contributed effectively to the Republican cause by helping to dissipate men's fears of the effect of resumption and by quickening their hopes of better times. In his diary (November 6) he writes: —

> The elections of yesterday show very gratifying results. The States of New England are solid for sound principles. The crushing defeat of Butler was one of the best events that has happened since the war. Unscrupulous, able, rich, untiring, he was the most dangerous and wicked demagogue we have ever had. When he found he could not rule this Administration as he had hoped, he declared war on it and me. At the close of his last interview on the Methuen Post-Office he said with significant emphasis: "You will regret this," — after a little hesitation, recollecting himself, he said, — "because it is wrong."
>
> Everywhere in the North we are stronger than in any off year since the war, except possibly in 1866 when Johnson was overwhelmed. The South is substantially solid against us. Their vote is light — our side was unorganized — a host of people of both colors took no part. The whites must divide before we can hope for good results there. The blacks, poor, ignorant, and timid, can't stand alone against the whites.
>
> In my message I must treat this result as a decision in favor of resumption undisturbed — in favor of repose — in opposition to all revolutionary schemes which would destroy the stability of our government. It is in one word a verdict against Butlerism. . . .
>
> The only regret is that the better elements of the South were not so organized as to have a share in the victory. No doubt many good and conservative men have been elected. Probably a large majority are in their judgments and consciences opposed to the wild and dangerous doctrines which the better sentiment of Massachusetts and of the rest of the conservative States of the North have so decidedly condemned.

A few days later (November 12) he writes: —

> be made clear. The white people in the South are determined to have, by hook or crook, respectable, economical, and just State Governments. There is no sentiment about it."

It now looks as if the November elections had settled all question as to the Presidential title — that Potterism is dead. But Butlerism — cheap money schemes still live. The popularity of silver, the unpopularity of banks, or rather of money-lenders as embodied in the national banks, are strong enough to become corner-stones of parties and platforms. They will probably divide the Democratic party, and so strengthen the Republican; but if all the discontent could be embodied in one party, with cheap money and plenty of it as its watchwords, the power of such a party would be ample for mischief, and it might, for a time, rule the country.

In South Carolina and Louisiana, and perhaps in some of the other cotton States, grave charges are made that the constitutional provisions which guarantee equal citizenship have been practically nullified; that by fraud or force or intimidation colored citizens have been disfranchised.

By state legislation, by frauds, by intimidation, and by violence of the most atrocious character, colored citizens have been deprived of the right of suffrage — a right guaranteed by the Constitution, and to the protection of which the people of those States have been solemnly pledged.

CHAPTER XXXVI

AMONG THE PEOPLE; THE CENTRAL WEST — NATIONALISM

IT was what happened in the Southern elections of 1878 that made the President and the Republicans so determined in the special session of Congress in the spring of the following year, already described, to resist the Democratic efforts to repeal or to emasculate the federal election laws. When the President visited the West in September, 1879, therefore, the topics which had enthralled his attention during the long contest with Congress were still uppermost in his mind, and were made the principal subject of his discourse at the annual reunion of his old regiment which was held at Youngstown, Ohio, September 17. This speech is so clear and forceful an exposition of Mr. Hayes's conception of the fundamental principles of our dual system of government, of the causes and results of the Civil War, of the duty of maintaining unimpaired "the settlements of the war in favor of equal rights and the supremacy of the laws of the nation," that it is here given in full: —

Comrades and Fellow Citizens, — After almost a year spent in Washington, engrossed in public affairs, it is a great pleasure to visit again my friends in Ohio, and especially to meet so many of my old comrades at this yearly reunion of the Twenty-third Regiment. Since we last met at Willoughby, a year ago, there has been a vast improvement in the business condition of our country. Whatever differences of opinion may be still found among the people of this part of Ohio as to the importance of the resumption of specie payments, and as to the methods by which it has been accomplished, there is one kind of resumption which is very noticeable in Youngstown, and which is making rapid progress in the whole country, about which I imagine we are all heartily agreed. When I last visited this beautiful valley of the Mahoning, four years ago, the financial crisis, and the gloomy outlook for business and labor and capital, occupied the thoughts and depressed the spirits of the people wherever I met them, whether in public assemblies, at their places of business, or at their hospitable homes. Now, however, how great and how gratifying is the change! All around us here, and throughout the country generally, we see cheering and

hopeful indications of better times. Not only have specie payments been resumed, but business activity and profitable employment for capital and labor have come also. The chief industry and interest of this valley — the great iron interest — already begins to share largely in the benefit of our improved condition, and I therefore heartily congratulate all classes of citizens in this large assemblage on the present favorable business situation, and on the bright and encouraging prospect which the future holds out.

There is a subject interesting to every citizen, and especially to those who served in the Union army, in regard to which I wish to say a few words: —

Since our last reunion, in several of the States and in Congress, events have occurred which have revived the discussion of the question as to the objects for which we fought in the great conflict from 1861 to 1865, and as to what was accomplished by the final triumph of the Union cause. The question is: What was settled by the war? What may those who fought for the Union justly claim; and what ought those who fought for secession, faithfully to accept as the legitimate results of the war?

An eminent citizen of our State, Mr. Groesbeck, said some years ago, that "war legislates." He regarded the new constitutional amendments as part of the legislation of the war for the Union, and said, with significant emphasis, "and they will stand." The equal-rights amendments are the legislation of the war for the Union, and they ought to stand. Great wars always legislate. A little more than a hundred years ago, this land, where we now are, was claimed and held by France. General Wolfe, on the Plains of Abraham, settled that claim, and the result was the transfer of the title and jurisdiction of this entire section of the country to England. For a few years its chief ruler was the English King. The Revolution followed, and the question of its ownership was again the subject of war legislation, and it became a part of the United States, no longer under a monarchy, but under a free republican Government.

I need not enter into any discussion of the causes of our Civil War. We all know that the men who planned the destruction of the Union and the establishment of the Confederate States, based their attempt on a construction of the Constitution called the state-rights doctrine, and on the interest of the people of those States in the extension and perpetuation of slavery. The doctrine of States' rights was, that each State was sovereign and supreme, and might nullify the laws of the Union or secede from the Union at pleasure. They held that slavery was the natural and normal condition of the colored man, and that, therefore, slavery in this country could and should be the corner-stone of a free government.

No man has ever stated the issues of the Civil War more fully, more clearly, or more accurately than Mr. Lincoln. In any inquiry as to what may fairly be included among the things settled by our victory,

all just and patriotic minds instinctively turn to Mr. Lincoln. To him, more than to any other man, the cause of Union and liberty is indebted for its final triumph. Besides, with all his wonderful sagacity, and wisdom, and logical faculty, dwelling intently, and anxiously, and prayerfully, during four years of awful trial and responsibility, on the questions which were continually arising to perplex and almost confound him, he at last became the very embodiment of the principles by which the country and its liberties were saved. All good citizens may now well listen to and heed his words. None have more reason to do it with respect and confidence, and a genuine regard, than those whom he addressed in his first inaugural speech as "my dissatisfied fellow countrymen." The leader of the Union cause was so just and moderate, and patient and humane, that many supporters of the Union thought that he did not go far enough or fast enough, and assailed his opinions and his conduct; but now all men begin to see that the plain people, who at last came to love him, and to lean upon his wisdom and firmness with absolute trust, were altogether right, and that in deed and purpose he was earnestly devoted to the welfare of the whole country, and of all its inhabitants.

Believing that Mr. Lincoln's opinions are of higher authority on the questions of the war than those of any other public man on either side of the controversy, I desire to present them quite fully and in his own language.

In the third year of the war, and while its result was still undecided, Mr. Lincoln made his memorable address at the consecration of the Gettysburg National Cemetery, on the 19th of November, 1863. He was standing on the field of the greatest battle of the war. He was, no doubt, deeply impressed with the heavy responsibilities which he had borne so long. He spoke not as a partisan, embittered and narrow and sectional, but in the broad and generous spirit of a patriot, solicitous to say that which would be worthy to be pondered by all of his countrymen throughout all time. In his short speech of only two or three paragraphs he twice spoke of the objects of the war, once in its opening and again in its closing sentence. The words have been often quoted, but they cannot be too familiar. They bear clearly and forcibly on the question we are considering.

"Fourscore and seven years ago," said Mr. Lincoln, "our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure."

And again, in closing, he said: "It is rather for us . . . that we here highly resolve that these dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth."

No statement of the true objects of the war more complete than this

has ever been made. It includes them all — nationality, liberty, equal rights, and self-government. These are the principles for which the Union soldier fought, and which it was his aim to maintain and to perpetuate.

If any one supposes that that construction of our National Constitution, which is known as the state-rights doctrine, is consistent with sound principles, let him consider a few paragraphs from Mr. Lincoln's first message to Congress, at the extra session of 1861.

Speaking of what was called the right of peaceful secession — that is, secession in accordance with the National Constitution — he said: "This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to a *State* — to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution, no one of them ever having been a State *out* of the Union. The original ones passed into the Union even *before* they cast off their British colonial dependence, and the new ones each came into the Union directly from a condition of dependence, excepting Texas; and even Texas, in its temporary independence, was never designated a State. The new ones only took the designation of States on coming into the Union, while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the 'United Colonies' were declared to be 'free and independent States;' but, even then, the object plainly was not to declare their independence of *one another*, or of the *Union*, but directly the contrary; as their mutual pledge, and their mutual action, before, at the time, and afterwards, abundantly show. The express plighting of faith by each and all of the original thirteen, in the Articles of Confederation, two years later, that the Union shall be perpetual, is most conclusive. Having never been States, either in substance or in name, *outside* of the Union, whence this magical omnipotence of 'state rights,' asserting a claim of power to lawfully destroy the Union itself? Much is said about the 'sovereignty' of the States; but the word, even, is not in the National Constitution, nor, as is believed, in any of the state constitutions. What is a 'sovereignty,' in the political sense of the term? Would it be far wrong to define it, 'A political community, without a political superior'? Tested by this, no one of our States, except Texas, ever was a sovereignty; and even Texas gave up the character on coming into the Union; by which act she acknowledged the Constitution of the United States and the laws and treaties of the United States made in pursuance of the Constitution to be for her the supreme law of the land. The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law, and by revolution. The Union, and not themselves separately, procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence or liberty it has. The Union is older than any of the States, and, in fact, it created them

as States. Originally, some dependent colonies made the Union, and, in turn, the Union threw off their old dependence for them and made them States, such as they are. Not one of them ever had a state constitution independent of the Union. Of course, it is not forgotten that all the new States framed their constitutions before they entered the Union; nevertheless, dependent upon, and preparatory to, coming into the Union."

Unquestionably the States have the powers and rights reserved to them in and by the National Constitution; and upon this point, in another part of this great message, Mr. Lincoln says: "This relative matter of national power and state rights, as a principle, is no other than the principle of *generality* and *locality*. Whatever concerns the whole should be confided to the whole — to the general Government; while whatever concerns *only* the State should be left exclusively to the State. This is all there is of original principle about it."

Mr. Lincoln held that the United States is a nation, and that its Government possesses ample power under the Constitution to maintain its authority and enforce its laws in every part of its territory. The denial of this principle by those who asserted the doctrine of state rights, and who rightly claimed that it was inconsistent with state sovereignty, made up an issue over which arose one of the leading controversies which led to the Civil War. The result of the war decided that controversy in favor of nationality and in favor of the supremacy of the National Government.

On the question of human rights, Mr. Lincoln was equally explicit, and often declared that it was involved in the conflict, and to be decided by the result. In his matchless message, already quoted, he says: "Our adversaries have adopted some declarations of independence, in which, unlike the good old one, penned by Jefferson, they omit the words, 'all men are created equal.' Why? They have adopted a temporary national constitution, in the preamble of which, unlike our good old one, signed by Washington, they omit, 'We, the people,' and substitute, 'We, the deputies of the sovereign and independent States.' Why? Why this deliberate pressing out of view the rights of men, and the authority of the people? This is essentially a people's contest. On the side of the Union it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start, and a fair chance in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the Government for whose existence we contend. I am most happy to believe that the plain people understand and appreciate this."

On the subject of suffrage, Mr. Lincoln's guiding principle was that "no man is good enough to govern another man without that other man's consent."

Thus we have from the lips and pen of Mr. Lincoln, — the great

leader and representative of the Union cause, — in the most solemn and authentic form, a complete statement of the issues of the war. He held that the Union is perpetual; that its Government is national and supreme; and that all of its inhabitants should be free, and be accorded equal civil and political rights.

These are the great fundamental principles, affirmed on the one side, and denied on the other, upon which the appeal was made to the God of battles. I do not undertake to review the debate as to the nature and powers of the Government of the Union, and as to the doctrine of States' rights, which began with the foundation of our institutions, and which was continued until it was hushed by the clash of arms. It is enough for my present purpose to say that, as a matter of history, all of the political parties of the past, when charged with the responsibility of directing the affairs of the Government, have maintained, in their practical administration of it, precisely the same principles which were held by President Lincoln. The principles as to the powers of the National Government which were acted upon by Washington and Jackson, and which are sustained by the decisions of Chief Justice Marshall, and by which Lincoln and the Union armies crushed the Rebellion and rescued the Republic, are among the legitimate and irreversible results of the war which ought not to be questioned.

Touching the remaining important controversy settled by the war, the public avowals of opinion are almost all in favor of the faithful acceptance of the new constitutional amendments. On this subject the speeches of public men and the creeds and platforms of the leading political parties have for some years past been explicit. In 1872, all parties in their respective national conventions adopted resolutions recognizing the equality of all men before the law, and pledging themselves, in the words of the Democratic National Convention, "to maintain emancipation and enfranchisement, and to oppose the reopening of the questions settled by the recent amendments to the Constitution." In 1876, the great political parties again, in the language of the St. Louis National Convention, affirmed their "devotion to the Constitution of the United States, with its amendments *universally* accepted as a final settlement of the controversies that engendered the Civil War." Notwithstanding these declarations, we are compelled to take notice that, while very few citizens anywhere would wish to reëstablish slavery if they could, and no one would again attempt to break up the Union by secession, there still remains in some communities a dangerous practical denial to the colored citizens of the political rights which are guaranteed to them by the Constitution as it now is. In the crisis of the war, Mr. Lincoln appealed to the colored people to take up arms. About two hundred thousand responded to the call, enlisted in the Union armies, and fought for the Union cause under the Union flag. Equality of rights for the colored people, from that time, thus became one of the essential issues of the war. General Sherman said: "When the fight is over, the hand that drops the musket cannot be denied the

ballot." Jefferson said long before: "The man who fights for the country is entitled to vote." When, with the help of the colored men, the victory was gained, the Fifteenth Amendment followed naturally as one of its legitimate results. No man can truthfully claim that he faithfully accepts the true settlements of the war who sees with indifference the Fifteenth Amendment practically nullified.

No one can overstate the evils which the country must suffer if lawless and violent opposition to the enjoyment of constitutional rights is allowed to be permanently successful. The lawlessness which to-day assails the rights of the colored people will find other victims to-morrow. This question belongs to no race, to no party, and to no section. It is a question in which the whole country is deeply interested. Patriotism, justice, humanity, and our material interests, all plead on the right side of this question. The colored people are the laborers who produce the cotton which, going abroad to the markets of the world, gives us that favorable balance of trade which is now doing so much for the revival of all business. The whole fabric of society rests upon labor. If free laborers suffer from oppression and injustice, they will either become discontented and turbulent, destroyers of property, and not producers of property, or they will abandon the communities which deprive them of their inalienable rights. In either case, social order and the peaceful industries upon which prosperity depends, are imperilled and perhaps sacrificed. It will not do to say that this is an affair which belongs solely to the distant States of the South. The whole country must suffer if this question is not speedily settled, and settled rightly. Where the two races are numerous, prosperity can only exist by the united and harmonious efforts of both the white people and the colored people. The only solid foundations for peace and progress in such communities are equal and exact justice to both races. Consider the present situation? Whatever complaints may have been heard during the progress of reconstruction, candid men must admit that all sections and all States are now equally regarded, and share alike the rights, the privileges, and the benefits of the common Government. All that is needed for the permanent pacification of the country is the cordial coöperation of all well-disposed citizens to secure the faithful observance of the equal-rights amendments of the Constitution.

Happily, in the very communities where lawlessness has been most general and most successful, there are editors of newspapers and other influential citizens who speak out and denounce these crimes against free government. It is plain that a sound public opinion is forming where it is most needed. No community can afford to allow any of its citizens to be oppressed — to lose their rights. To be indifferent on the subject is to disregard interest and duty. The Union citizens and soldiers can do much to remove the evils we are considering. Let it be understood that no public man in any party will be sustained unless he will undertake to carry out in good faith the pledges made in all our

platforms in regard to the rights of colored citizens; unless he will support laws providing the means required to punish crimes against them; and unless he will oppose the admission of any man to either house of Congress whose seat has been obtained by the violation of the Fifteenth Amendment. The right of suffrage is the right of self-protection. Its free exercise is the vital air of republican institutions.

To establish now the state-rights doctrine of the supremacy of the States, and an oligarchy of race, is deliberately to throw away an essential part of the fruits of the Union victory. The settlements of the war in favor of equal rights and the supremacy of the laws of the nation are just and wise and necessary. Let them not be surrendered. Let them be faithfully accepted and firmly enforced. Let them stand, and, with the advancing tide of business prosperity, we may confidently hope, by the blessing of Divine Providence, that we shall soon enter upon an era of harmony and progress such as has been rarely enjoyed by any people.

This speech attracted universal attention and for days was the most important topic of editorial discussion. By the Democratic papers the President was condemned for making a political speech on such an occasion and was censured as having abandoned his policy of conciliation. But a calm comparison of his language in this address with what he had said in his letter of acceptance, in his inaugural address, and in his Southern speeches, fails to reveal any substantive inconsistency. Always he had insisted that there should be no invasion of the province of state authority by the National Government. Always, too, he had insisted that the Constitution with its new amendments should be loyally accepted and faithfully enforced in all the States. And this the Republican and independent press was diligent in setting forth. The New York *Evening Post* fairly reflected the controlling opinion of the country when it said of the Youngstown speech: "We cannot recall just now a more concise and cogent statement of the powers and their restrictions with which the founders of the Republic clothed the United States and the several States, and of the rights which must be guaranteed to every citizen of the Republic, unless our political institutions are to fail miserably." [1]

The very next day after the Youngstown address, Mr. Hayes made a speech at Detroit, at the Michigan State Fair, of quite a different character. In this he dwelt upon the business and

[1] September 19, 1879.

industrial condition of the country, rejoicing in the fulfilment of the prophecy of returning prosperity which he had made in his speeches of the year before, and urging men to prolong good times by the homely virtues of thrift and paying as you go.[1] In the course of this speech, he said: —

A year ago, making a visit of two or three weeks to the West and Northwest, I thought it might be useful to speak of the financial condition of the country, and to present a hopeful view of the situation and prospects. The business depression which followed the panic of 1873 had then lasted five years; but there were indications of improvement, and it seemed to me that what was most needed was confidence, and that a presentation of encouraging facts and figures would tend to inspire confidence. It was my opinion, also, that there could be no permanent revival of business prosperity until the currency was placed upon a sound basis, and was exchangeable at its par value in the universally recognized money of the world. The friends of the constitutional currency generally believed that this end could only be reached by the faithful execution of the Resumption Act; that there was no need of further legislation; and that the true policy was to stop tinkering with the currency. Accordingly, the pith of what I wished to say last year to audiences like this was, that we ought to "let well enough alone." Now the resumption of specie payments has come, and with it have come also better times.

The evidences of good times are numerous, palpable, and cheering. [The increase in railway earnings, and construction; the greater activity in all branches of manufacturing and industry; the wonderful increase in the exportation of farm products, as shown by official statistics.]

[1] This was a favorite thought with Mr. Hayes; he had pondered it afresh for his discussions of this year. In the diary (July 13, 1879) he wrote: —

"At church thought of this course of observation in my talks to people this fall. Avoid mere electioneering topics. Call attention to what I said a year ago, to the effect that we were on the threshold of better times, that the true course, the wise course, was to let well enough alone, that resumption would come if there was no more tinkering, and that until it came there could be no solid prosperity, and that with it good times were certain. Now the resumption fires are starting up in all directions, the good times are coming — coming and have come. And what now is wisdom, what is good conduct? What will keep the times good? What will enable us to feel that resumption has come to stay? Again I say, let well enough alone. The policy which brought resumption and better times will make resumption and prosperity permanent.

"The one thought I would like to lodge in all minds is, keep out of debt; if in debt, now is the time to get out of it in the only safe way, by honestly paying them. The honest payment of debts is the safest way to get rid of them. But let every man, every corporation, and especially let every village, town, and city, every county and State, get out of debt and keep out of debt. It is the debtor that is ruined by hard times."

With these authentic and significant facts and figures before us, we may reasonably assume that the country has entered again upon a period of business prosperity. The interesting questions now are, Have the good times come to stay? What can we do in private and in public affairs to prolong the period of prosperity, and to mitigate the severity of hard times when they again return? The prospects are now bright, but all experience teaches that the wheel of human affairs, always turning, brings around those tremendous events called financial panics, if not with regularity, at any rate with certainty. The writer of an intelligent article in one of the monthlies says: "Panics, it has been observed, recur about every twenty years in this country, and almost every ten years in England." The explanation of this is not difficult to discover. In good times the tendency is to extravagance, to speculation, and to running in debt. Many spend more than they earn, and the balance of trade soon begins to run against communities and individuals. When this has continued until the business of the country is loaded down with debts, a financial crisis is inevitable, and only waits for "the last straw." If this view is correct, the way to meet the dangerous tendencies of flush times is plain. Let two of Dr. Franklin's homely proverbs be strictly observed by individuals and by communities. One is, "Never live beyond your means"; and the other is like unto it, namely — "Pay as you go."

It is easy to see that, if these old maxims of the philosophy of common sense could have general practical acceptance, the period of good times would be greatly prolonged, and the calamities of hard times would be vastly diminished. There can be no great financial crisis without large indebtedness, and the distress which it brings is in proportion to the extent of the extravagance, speculation, and consequent indebtedness which have caused it. Those who are out of debt suffer least. Where the debts are heaviest the calamity is heaviest. But it is of public indebtedness, and especially of the debts of towns and cities, that I wish to say a few words.

The practice of creating public debts, as it prevails in this country, especially in municipal government, has long attracted very serious attention. It is a great and growing evil. States, whose good name and credit have been hitherto untarnished, are threatened with repudiation. Many towns and cities have reached a point where they must soon face the same peril. I do not now wish to discuss the mischiefs of repudiation. My purpose is merely to make a few suggestions as to the best way to avoid repudiation. But, in passing, let me observe: Experience in this country has shown that no State or community can, under any circumstances, gain by repudiation. The repudiators themselves cannot afford it. The community that deliberately refuses to provide for its honest debts loses its good name and shuts the door to all hope of future prosperity. It demoralizes and degrades all classes of its citizens. Capital and labor and good people will not go to such communities, but will surely leave them. If I thought my words could influence any of my

countrymen who are so unfortunate as to be compelled to consider this question, I would say, let no good citizen be induced by any prospect of advantage to himself or to his party to take a single step toward repudiation. Let him set his face like flint against the first dawning of an attempt to enter upon that downward pathway. It has been well said that the most expensive way for a community to get rid of its honest debts is repudiation.

Returning to the subject of municipal debts, it is not alone those that live in towns and cities who are interested in their wise and economical government. All who trade with their citizens, all who buy of them, all who sell to them — in a word, the whole of the laboring and producing classes — must bear a share of their burdens. The taxes collected in the city find their way into the price-lists of what is bought of and sold to the farmers and laborers in the country. On the questions of debt and taxation the dwellers of the city and those who habitually deal with them form together one community and have a common interest.

The usual argument in favor of creating a city debt is, that the proposed building or improvement is not for this generation alone, but is also for the benefit of posterity, and, therefore, posterity ought to help to pay for it. This reasoning will not bear examination. Each generation has its own demands upon its purse. It should not be called on to pay for the cast-off garments of its ancestors. . . .

Municipal borrowing is the parent of waste, profligacy, and corruption. Money that comes easily goes easily. In this career of reckless extravagance, cities build and buy what they do not need, and pay for what they get far more than it is worth. . . . The volume of the local indebtedness of the country already exceeds one half the great war debt of the nation, and the interest upon them, from the high rates usually paid, will soon equal the total interest upon the national debt.

The urgent question that is now pressing for consideration is, how to deal with these large and increasing local debts. The best answer, it seems to me, is simple, ready at hand, and sufficient: Do not have any local debts. Let it be embodied in the constitution and laws of every State that local authorities shall create no debts; that they shall make no appropriations of money until it is collected and on hand; that all appropriations shall be for specific objects, and that as to existing debts, suitable provision shall be made for their extinguishment. . . .

The policy of preventing the creation of local debts by positive constitutional prohibition is fully sustained by the experience of the States with respect to state debts. Constitutions in many of the old, and in all of the new, States have been adopted within the last thirty or forty years, and almost all of them contain provisions denying to state legislatures the authority to create debts except in case of war, insurrection, or other extraordinary emergency. Under the operation of these prohibitory provisions, the debts existing at the time of their adoption have been greatly reduced, and the only States now embarrassed by

debt are those whose constitutions do not contain this wise prohibition.

The general policy of the National Government on the subject of debt has always been sound. It may be summed up in a few words: No debts to be created in time of peace, and war debts to be paid off as rapidly as possible when the war ends. . . .

As a marked evidence of the fidelity with which our national obligations of this description have heretofore been met, it is worthy of note that, during the War of 1812, the interest on the portion of the debt held by British subjects was regularly paid, the agents of the holders in this country, owing to the interruption of direct commercial intercourse, being sometimes obliged to resort to circuitous and extremely difficult routes for the transmission of payment. I find the fact remarked upon by Mr. Alexander Trotter, the British author of a standard work published in 1839, upon our national financial position and credit at that time. The author also notes the fact that the act of Congress passed by the first Congress that assembled after the adoption of the Constitution, to make provision for the payment of all the outstanding engagements of the Government, "with a degree of integrity which is rare in the history of the financial embarrassments of states," postponed the claims of creditors at home until those of the foreign creditor were provided for.

Our war debt resulting from the War for the Union amounted to about $3,000,000,000, and has been reduced to about $2,000,000,000. . . . The policy of paying off the national debt, which, at the close of the war, was urged upon the country with so much force by the Secretary of the Treasury, Mr. Hugh McCulloch, has borne good fruit. Young men of this audience can remember when the Government of the United States found great difficulty in borrowing so small a sum as $25,000,000, and for a considerable part of it was compelled to pay as high as twelve per cent. Last spring, by reason of improved and strengthened credit, the Government had no trouble in borrowing, in the single month of April, $225,000,000 at four per cent interest. The amount offered in that month exceeded $500,000,000, and there was one day when the amount offered was $159,000,000.

Let the policy of extinguishing the national debt be adhered to. Let it be the fixed purpose of the people and all who administer the Government to pay off the debt within thirty-three years. It can be done by economy and prudence without a material increase of the burdens of the people. The payment of $33,000,000 a year upon the principal of the debt, or into a sinking-fund for that purpose, will, within thirty-three years, leave us free from debt as a nation.

That which is sound policy in national and state affairs, in regard to public debts, is, I believe, also wise policy in local affairs and in private affairs. Let it be everywhere adopted, in public and private, and we may welcome the advancing tide of better times, confident that we have found the secret that will prolong their stay, and which will go

far to make us independent in that, I trust distant, day when a financial panic may again strike down the general prosperity.

After the visit to Michigan the President proceeded to Kansas,[1] where he visited many of the more important towns of the State and delivered many speeches, being greeted at all points with every demonstration of respect. In his speeches he repeated in various forms the substance of what he had said at Youngstown and at Detroit, and the hearty applause with which his words were received was evidence that his ideas made an impressive popular appeal. At St. Joseph, Missouri (September 29), on the return journey, an enthusiastic welcome awaited him, and he spoke with especial directness and vigor. After dwelling on the peculiar position of St. Joseph, — at the extreme edge of the northernmost slave State and on the border of "the remarkable State" he had just left, "where the antislavery sentiment was more pervading and more aggressive than in almost any other State," — as enabling its people to understand alike the evils of the old conditions and the difficulties and embarrassments attending reconstruction, he continued: —

It seems to me, and I think I am not mistaken, that in those [reconstruction] measures there were two leading ideas, which if generally accepted throughout our country, if generally adopted as a rule of action for the general Government, and for the State Governments, would go far toward establishing a complete and permanent pacification throughout our country. One concerns the relation of the States to the general Government, and the other is concerning the rights of citizens under the recent constitutional amendments.

The first idea is, that equal and exact justice should be extended to all sections and to all States; that under a common Government equal rights and privileges, equal justice and equal benefits and blessings should be enjoyed by all States and all sections, and that the general Government should deal upon the same principles and by the same methods with Texas and Kansas, and with Missouri and Georgia. [Cheers.] Now, that principle agreed to and established, and acted upon, would be so far so well. What is the second? It is like unto the first — that in this country hereafter, as all its inhabitants have become citizens invested by the Constitution with equal civil and political rights, that all Governments, State and National, should treat all citizens as entitled to the same with equal and exact justice, according to

[1] The President was accompanied by Mrs. Hayes and his two elder sons, and by General Sherman with members of his staff.

the laws. With these two principles accepted and enforced, we shall enter upon a career of prosperity and harmony, such as the country has never known before. [Cheers.]

I have spoken, my friends, of the National Government, and of the State Governments. I must go one step further. All government in this free country is at last a government of public opinion. Public opinion is back of the National Government. It is back of the State Governments. It is public opinion that rules in this Republic of the United States. [Cheers.] When, therefore, I come into an assembly of my fellow citizens to talk about the duty of the Government, I reach back and beyond the Government. The individual who is Governor or who is President to-day passes away, but the people and the popular judgment and their ruling opinion will last through generations and ages, as we hope. [Cheers.] Now, as to popular opinion, let it be sound on these two great leading ideas and principles; let every man feel that he can form a part of that popular sentiment and opinion; that he is responsible for what he can do to direct aright the general conduct of the country as to the rights of the States and as to the rights of citizens.

The misfortune of the old time was that there were in this country two popular opinions. There was the popular opinion of the slaveholding States and there was the popular opinion of the free States. Now let us strive to be equal to our opportunities and to the new and improved condition of our country. Let it be understood hereafter that in all things there is but one popular opinion in our country which is to decide as to every important event. Having said this much I would finally appeal to a maxim of the old Native American party, to which I did not belong [cheers], for settlement of the whole question. I did not happen to agree entirely with the old party in reference to naturalization. But it did have as its basis one sentiment with which I am in complete and entire accord. [Cheers.] It is the sentiment of that party in regard to the Union, expressed in the motto, "The Union, the Constitution, and the Enforcement of the Laws." [Cheers.] That governs the whole business of to-day. Let the popular sentiment sustain that old principle, and with a favorable condition of pecuniary and business affairs, we shall enter upon an era of prosperity which will be the envy of the civilized world. [Prolonged cheers.]

On the following day, Springfield, Illinois, threw open wide its gates to the President's party, Governor Cullom acting as host. At the State House, where speeches of welcome were made on behalf of the State, of the city, and of the school-children, gathered in force to see the President, Mr. Hayes spoke these words: —

I am profoundly affected by this generous reception and welcome. I ought not, it seems to me, in the presence of this audience, to sit down

with a mere bald acknowledgment of what I owe to you without at least naming one name — nay, I should perhaps name two names. I pass by all the living; but Douglas and Lincoln — Lincoln and Douglas — are names in the history of Illinois — nay, in the history of the Republic — that are linked together forever in adamant, —

"Names that ne'er
Shall sink while there 's an echo left in air."

[Applause.] Of Lincoln, you, his neighbors and his friends and their descendants, of Lincoln as a man you, perhaps, know far better than I could possibly know him; but yet, as a public servant, laboring for his country, leading the embattled hosts of American patriots, fighting the battle of freedom for all mankind, laboring in his Administration through those four long, anxious years, I have had some opportunities to know Mr. Lincoln not, perhaps, enjoyed by you. I do not disparage the achievements of any of the great men of the past — Washington and Jefferson and Madison. The great work that they did outside of the Presidential office was sufficient to make them forever memorable in our history. But in the office of President, at the head of the Administration, your beloved Lincoln stands alone, head and shoulders above all his predecessors. [Great applause.] In the ages that are to come, centuries hence, when the names of the ordinary, fair-minded Presidents, who do faithfully their duties in their place, when their names shall simply serve to mark a date, — no more than a single date in the almanac, any one of them, — Lincoln will stand out as the man who did the work of his century, never to be forgotten.

Then the party visited the State Fair where more speeches were made and more enthusiasm abounded, and the day ended with a brilliant reception at the Executive Mansion. The next day the journey was made — with cannon booming and bands playing at every station — to Indianapolis. Here a great industrial parade, in connection with the State Fair, had been arranged to celebrate the President's visit; and nowhere in all the long trip was there a warmer welcome or greater manifestation of popular esteem. In his speech at the fairground the President refused to regard the demonstration as intended simply to do him honor. Rather he said: "You are here to welcome the coming of better times. You are here to rejoice over and be glad and to welcome the return of a solid currency; to welcome the restoration of individual and national credit, after the long night of five or six years of depression, of gloom, and of financial disaster, and to welcome the good time coming." He spoke then of the resources and development of the State; paid high tribute

to the memory of Oliver P. Morton as the greatest of the war Governors; and ended with a plea for the encouragement of a common sentiment in all parts of the country. He said: —

> In the past one of the troubles has been that in each section of the country they had a separate and distinct public opinion, by which all men and all events were judged. A man in Georgia did not care a straw what you people in Indiana thought about anything he might do or say, and Oliver P. Morton and other men like him did not care much about what they thought down in Georgia about what he said; and this was true of other sections of the country. But now that old line of division has been largely broken down, so that a man can enunciate the same sentiments at St. Joseph, Missouri, and be applauded in the same way for these utterances that I am here to-day. A change came, but it has come slowly. It does not come as fast as we would like to have it come; but slavery lasted for two hundred years, and the education and prejudices of two hundred years are not to be wiped out in one Administration. What we want is that in every section of the country whatever is said and done, under pressure of public opinion, shall be done by the common public opinion of the whole United States. The people of Indianapolis, each one of you, should have the same share in forming public opinion that governs Georgia and California, that you have in forming the public opinion that governs Indiana.

It was doubtless an unpremeditated felicity that this last speech of the trip, like the one at St. Joseph, thus reached its climax in the noble aspiration for a common public opinion of all States and sections which should control political speech and action. It is evident from contemporary newspaper comment that the President's speeches, — being, as one writer of the day characterized them, "not the studied efforts of the politician, eager to impress his hearers with an idea of his own importance; but the frank expressions of a well-informed man desirous of fostering sound views of national questions among the masses, and of cultivating a feeling of hearty good-will between different sections of the country," [1] — had a most wholesome effect on public sentiment, rasped as it had been by the bitterness of partisan debate and sectional recrimination during the long special session of Congress. One of the most intelligent of the independent journals of the day, the Indianapolis *News*, reflected the judgment of thoughtful men when, in welcoming the President, it said that his task had been to restore peace; that

[1] Baltimore *American*, October 1, 1879.

"the people, not those who too often presume to speak for them, being assured that his aim was lofty, his endeavor earnest, and his patience great enough to go forward to the end and await the result, had been glad to do honor to the man who had had the penetration to discern their better nature." "No President," the editor continued, "ever had heartier welcomes or truer ones, . . . and year after year they have been greater and warmer, as time has brought President and people closer, and given a clearer view of their unity of purpose. . . . No President has ever come into so direct contact with the mass of the people — the non-ruling class. . . . There he has his truest friends; there he has his strongest support." [1]

[1] The Indianapolis *News*, October 1, 1879.

CHAPTER XXXVII

AMONG THE PEOPLE; THE PACIFIC COAST — EDUCATION

IN the last year of his term Mr. Hayes made the longest expedition ever undertaken up to that time by any President. This was a visit to the Pacific Coast — the first visit to that remote part of the country by any Chief Magistrate. Mr. Hayes had contemplated making this journey early in the summer of 1879, but the prolonged special session of Congress thwarted his plans. Before describing this journey, however, mention should be made of certain other memorable appearances of the President that year. In midsummer he visited New Haven to attend the annual commencement of Yale University, being the guest while there of his kinsman, Mr. Thomas R. Trowbridge. All sorts of attentions were bestowed upon him by the townspeople, and the university conferred upon him the honorary degree of Doctor of Laws. At the alumni banquet, President Porter, introducing Mr. Hayes as a "recent graduate," said: "There is one truth which he has announced and wrought into our hearts which I will mention: 'He serves his party best who serves his country best.' To have done this alone is enough glory for one Administration." Mr. Hayes in his response, after expressing appreciation of the manner of his reception, said: —

> You will readily recall the exciting events of four years ago, during the embarrassing period which intervened between the election and the final decision of the question as to who should be the incumbent of the Presidential chair. I was much embarrassed, for it was plainly to be seen that if the trust and responsibility of that station was to devolve upon me the voyage would not be over a smooth sea or under halcyon skies. Therefore, when it seemed probable that the responsibility might devolve upon my shoulders, my first thought was, "What is the paramount duty I shall have to perform, and how can it be done?" It seemed to me that the permanent pacification of the country was the first duty. [Applause.] I knew there were good and true people who failed to see the path of duty as I did; but I thought I saw the necessity of doing something to restore the confidence of the whole people, and of bringing to the whole country the rest and repose it so sadly needed. [Applause.]

Seeing this as my first duty, I asked: "What can I do to assure all, that this will be my earnest purpose?" This had been attempted in party platforms and in letters of acceptance. What was required by the people, however, was some distinct, unmistakable, and palpable act. [Applause.] It occurred to me that I might find in the South some man of the highest character who had been opposed to me through the long and bitter conflict, and who therefore had the confidence of the Southern people against whom we fought, and who would be faithful to the Constitution as it now is, and that it would be wise to invite such a man to a place at the council-board of the nation. [Applause.] I found no great political leader suggesting that this course might possibly lead to a solution of our difficulties. While I was pondering on the course to pursue, there came to me like a flash of sunlight from the sky, a letter from the great and venerable man who so long presided over the destinies of Yale, and whom we almost worship. [Applause.] Without drifting into a speech, I will say that the suggestions contained in that letter were in perfect accord with the conclusions of my own judgment, and that I followed implicitly President Woolsey's advice. [Applause and cheers.]

All may not have resulted as I then believed and hoped, but I can now confidently say, after more than three years of trial, that in following his advice I found the true Key to the situation. [Applause and cheers.] . . .

Indebted, therefore, as I am, at all points, to this institution, I wish to thank you; and, graduate as I have been made to-day, I find myself thanking myself while I am thanking you. There is another point to which I wish to allude, and yet it is not a point, for it has length, and breadth, and thickness. There is an old saying, "You can lead a horse to water, but you cannot make him drink." Knowing the desire of the American people that their representative to the nation to which we so largely trace our lineage should be a man reared up to the full stature of a mental and moral manhood, and wishing to select the best type of American character, in that emergency again I turned to Yale, and found just the man. I reversed the old adage in this case, for I brought the water to the horse, but President Porter would n't drink. [Applause.] And he was altogether right in refusing to accept the position tendered to him.

Any Administration, and any country, is more indebted to the man who is engaged in educating the people than it is to those who are its executive and administrative officers. The Executive is but the figurehead at best. The real government resides at last in the men who, figuratively speaking, stand at the helm, and have charge of the boilers and engine — the men who form and guide the public opinion which propels the ship and directs its course. The head of such an institution as this, where moral and intellectual culture are combined, is the man who forms men, who control not only the figurehead but control the nation. I wish here publicly to return thanks to the man who had

the judgment to give such an example to the nation. Whether Yale's sons guide or act as the figurehead of the Nation, I know they will be an honor to you. Any Administration that is a good one, or desires to be a good one, must ever be grateful to such an institution as this. [Applause and cheers.]

A few weeks later Mr. Hayes with his family made the usual annual visit to his home at Fremont. From there he attended the reunion of the Ohio veterans at Columbus (August 11) and of his old regiment at Canton (September 1). Already at this time the Presidential campaign had begun and men's thoughts were becoming absorbed in the rival contentions of the two great parties. The President was, of course, intensely interested in the contest and most desirous for the success of General Garfield. But, unlike Presidents of a later day, he thought it unbecoming to his position to take an active part in the campaign; and in all his speeches he refrained from any discussion of pending issues. Both at Columbus and at Canton he urged the desirability and propriety of national aid to popular education. This subject, which was for many years to command his attention and enlist his endeavors, had for some time been uppermost in his thought. It is altogether probable that the exercise of his duties as a member of the board of trustees of the Peabody Education Fund, to which he was chosen in the first year of his Administration, had much to do in turning his mind so strongly in this direction. He had come to think, as had many other able and patriotic men, that the enormous mass of ignorance in the South was too much for the old slaveholding States in their impoverished condition to cope with alone; that the safety and perpetuity of our institutions depended on an intelligent electorate, and that therefore some method should be devised of granting national assistance to the common school systems of the various States.[1] It is hardly necessary to recall that this proposal was the subject of years of debate in Congress and of

[1] Mr. Hayes urged this policy upon Congress in all his annual messages. The success of our institutions, he argued, depended on the virtue and intelligence of the people. "It is vain," he said, "to hope for the success of a free government without the means of insuring the intelligence of those who are the source of power." And with one seventh of the entire voting population illiterate, he thought the burden of education too great for the States alone to bear, especially those of the South where the greatest proportion of illiteracy existed and where the States were least able to struggle with the problem.

endless discussion in newspapers, magazines, and reviews, and that the judgment of the country finally pronounced against its adoption, as being an invasion by national authority of a province peculiarly belonging to the individual States. But that the proposition was inspired by motives of the highest benevolence and was one worthy of the most serious consideration, every thoughtful man acknowledged. The earnest plea of the President in its behalf was based on grounds that demanded and received the respectful examination of publicists and statesmen. At Columbus Mr. Hayes said: —

> The citizens of Ohio who were soldiers in the Union army, and who have assembled here in such large numbers, have many reasons for mutual congratulations as they exchange greetings and renew old friendships at this state reunion. We rejoice that we had the glorious privilege of enlisting and serving on the right side in the great conflict for the Union and for equal rights.
>
> The time that has passed since the contest ended is not so great but that we can without effort recall freshly and vividly the events and scenes and feelings and associations of that most interesting period of our lives. We rejoice, also, that we have been permitted to live long enough to see and to enjoy the results of the victory we gained, and to measure the vast benefits which it conferred on our country and on the world. . . .
>
> It must, perhaps, be conceded that there was one great error in the measures by which it was sought to secure the results — to harvest the fruits of our Union victory. The system of slavery in the South of necessity kept in ignorance four millions of slaves. It also left unprovided with education a large number of non-slaveholding white people. With the end of the war the slaves inevitably became citizens. The uneducated whites remained as they had been, also citizens. Thus the grave duties and responsibilities of citizenship were devolved largely, in the States lately in rebellion, upon uneducated people, white and colored. And with what result? Liberty and the exercise of the rights of citizenship are excellent educators. In many respects, we are glad to believe that encouraging progress has been made at the South. The labor system has been reorganized, material prosperity is increasing, race prejudices and antagonisms have diminished, the passions and animosities of the war are subsiding, and the ancient harmony and concord and patriotic national sentiments are returning. But, after all, we cannot fail to observe that immigration, which so infallibly and instinctively finds out the true condition of all countries, does not largely go into the late slaveholding region of the United States. A great deal of cheap and productive land can there be found where population is not rapidly increasing. When our Revolutionary fathers

adopted the Ordinance of 1787, for the government of the Northwest Territory, out of which Ohio and four other great States have been carved, they were not content with merely putting into that organic law a firm prohibition against slavery, and providing effectual guaranties of civil and religious liberty, but they established, as the corner-stone of the free institutions they wished to build, this article: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." Unfortunately for the complete success of reconstruction in the South, this stone was rejected by its builders. Slavery has been destroyed by the war; but its evils live after it, and deprive many parts of the South of that intelligent self-government without which, in America at least, great and permanent prosperity is impossible.

To perpetuate the Union and to abolish slavery were the work of the war. To educate the uneducated is the appropriate work of peace. As long as any considerable numbers of our countrymen are uneducated, the citizenship of every American in every State is impaired in value and is constantly imperilled. It is plain that at the end of the war the tremendous change in the labor and social systems of the Southern States, and the ravages and impoverishment of the conflict, added to the burden of their debts, and the loss of their whole circulating medium, which died in their hands, left the people of those States in no condition to provide for universal popular education. In a recent memorial to Congress on this subject, in behalf of the trustees of the Peabody Education Fund, Hon. A. H. H. Stuart, of Virginia, shows that "two millions of children in the Southern States are without the means of instruction"; and adds, with great force: "Where millions of citizens are growing up in the grossest ignorance, it is obvious that neither individual charity nor the resources of impoverished States will be sufficient to meet the emergency. Nothing short of the wealth and power of the Federal Government will suffice to overcome the evil."

The principle applied by general consent to works of public improvement is in point. That principle is, that wherever a public improvement is of national importance, and local and private enterprise is inadequate to its prosecution, the general Government should undertake it. On this principle I would deal with the question of education by the aid of the National Government. Wherever in the United States the local systems of popular education are inadequate, they should be supplemented by the general Government, by devoting to the purpose, by suitable legislation and with proper safeguards, the public lands, or, if necessary, appropriations from the Treasury of the United States.

The soldier of the Union has done his work, and has done it well. The work of the schoolmaster is now in order. Wherever his work shall be well done, in all our borders, it will be found that there, also, the principles of the Declaration of Independence will be cherished, the sentiment of nationality will prevail, the equal rights amendments will be

cheerfully obeyed, and there will be "the home of freedom and the refuge of the oppressed of every race and of every clime."

At Canton, recurring to this subject, the President said: —

The means at the command of the local and state authorities are in many cases wholly inadequate to deal with the question. The magnitude of the evil to be eradicated is not, I apprehend, generally and fully understood. Consider these facts: —

1. By the latest available statistics it appears that in 1878 the total school population, white and colored, in the late slaveholding States, was 5,187,584, and that only 2,710,096 were during that year enrolled in any school. This leaves 2,477,488 — almost two and a half millions — of the young who are growing up without the means of education. Citizenship and the right to vote were conferred upon the colored people by the Government and people of the United States. It is, therefore, the sacred duty, as it is the highest interest, of the United States to see that these new citizens and voters are fitted by education for the grave responsibility which has been cast upon them.

2. In the Territories of the United States it is estimated that there are over two hundred thousand Indians, almost all of whom are uncivilized. . . . The solution of the Indian question will speedily be either the extinction of the Indians or their absorption into American citizenship by means of the civilizing influences of education. With the disappearance of game there can no longer remain Indian hunters or warriors. . . .

3. The people of the Territory of New Mexico have never been provided with the means of education. The number of people in that Territory in 1870, ten years old and upwards, who could not read and write, was 52,220. This is largely more than half the population. The school population is now over thirty thousand, of whom only about one sixth are enrolled in schools. It will not be questioned that the power of the general Government to make all needful rules and regulations respecting the territory belonging to the United States is sufficient to authorize it to provide for the education of the increasing mass of illiterate citizens growing up in New Mexico and in the other Territories of the United States.

4. The number of immigrants arriving in the United States is greater than ever before. It is not improbable, from present indications, that, from this source alone, there will be added, during the current decade, to the population of our country five millions of people. . . . It may reasonably be estimated that at least from twenty to twenty-five per cent of the immigrants are illiterate. In the current decade we shall probably receive from abroad more than a million of people of school age and upwards who are unable to read and write any language; and of these, about a quarter of a million, in a few years, will share with us equally, man for man, the duties and responsibilities of the citizen and the voter.

Jefferson, with his almost marvellous sagacity and foresight, declared nearly a hundred years ago, that free schools were an essential part — one of the columns, as he expressed it — of the republican edifice, and that, "without instruction free to all, the sacred flame of liberty could not be kept burning in the hearts of Americans."

Madison said, almost sixty years ago: "A popular government, without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both."

Already, in too many instances, elections have become the farce which Madison predicted; and the tremendous tragedy which we saw when we were soldiers of the Union, and in which we bore a part, could never have occurred if in all sections of our country there had been universal suffrage based upon universal education. In our country, as everywhere else, it will be found that, in the long run, ignorant voters are powder and ball for the demagogues. The failure to support free schools in any part of our country tends to cheapen and degrade the right of suffrage, and will ultimately destroy its value in every other part of the Republic.

The unvarying testimony of history is, that the nations which win the most renowned victories in peace and war are those which provide ample means for popular education. Without free schools, there is no such thing as affording to "every man an unfettered start and a fair chance in the race of life." In the present condition of our country, universal education requires the aid of the general Government. The authority to grant such aid is established by a line of precedents, beginning with the origin of the Republic and running down through almost every administration to the present time. Let this aid be granted wherever it is essential to the enjoyment of free popular instruction.

In the language of Mr. Webster: "The census of these States shows how great a proportion of the whole population occupies the classes between infancy and manhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season — the very spring-time for sowing them. Let them be disseminated without stint. Let them be scattered with a bountiful hand broadcast. Whatever the Government can fairly do toward these objects, in my opinion, ought to be done." [1]

[1] Mr. Hayes gave voice to the same sentiments in a letter of August 24, 1880, to Frank Hatton, editor of the Burlington, Iowa, *Hawkeye*, which was used as a campaign document. He wrote: —

"General Garfield said in New York: 'These veterans of the war meet to-night to stand guard around the sacred truths for which we fought.' The truths for which we fought are national unity, the supremacy of the National Government, and the equal rights of all men before the law.

"The perpetuity of the Union is established. The supremacy of the National Government, although still doubted by many and denied in some influential quarters, has been so fully sustained by the Supreme Court in the masterly opinions, recently delivered in relation to the new Constitutional Amendments and

The President ended his speech with a review of the financial condition of the Government and words of rejoicing at the great and growing prosperity of the country.

On leaving Canton Mr. Hayes started immediately on his transcontinental journey. He was accompanied by Mrs. Hayes and two of his sons (Birchard and Rutherford); General Sherman and daughter; General and Mrs. Mitchell, and other intimate friends. At Omaha Secretary Ramsey joined the party. At all towns where the President's train halted, crowds of people were assembled to give the travellers noisy greeting, and usually the President and General Sherman made brief speeches. The tour lasted two months, the principal cities visited being Cheyenne, Ogden, Salt Lake City, Virginia City, San Francisco, Sacramento, Portland, Seattle, Los Angeles, Tucson, Santa Fe, and Denver. It involved travel not only by railway and steamer, but also many days by stage with primitive accommodations at night. Several days were spent in San Francisco, and from there, as well as from other cities, many excursions to places of interest near by were made. Everywhere enthusiastic throngs welcomed the President's party; and cities, civic societies, and local notables vied with one another in devising public demonstrations and arranging elaborate private entertainments. In California especially parades, receptions, balls, banquets, and sight-seeing expeditions left the visitors hardly time sufficient for rest; and the orators and versifiers of the State exhausted

the validity of the federal election laws, that hereafter we may confidently expect, in every conflict between state laws and the constitutional laws of the United States, that the latter will be held by the general consent of the country to be of paramount authority and obligation; and that the right of final decision as to the constitutionality of the laws of Congress resides in the Supreme Court of the United States will also be generally accepted as the true doctrine.

"It cannot, however, be gainsaid that there is still in our country a dangerous practical denial of the equal rights with respect to voting secured to colored citizens by the Fifteenth Amendment to the Constitution. One of the cogent arguments in favor of extending the right of suffrage to the freedmen was that it would furnish them with the means of self-protection. It was hoped and believed that with the right to vote they could assert and maintain all of their other rights. It has been found, however, that the ballot, like every other weapon of human contrivance, to be effective, must be wielded by the skill and intelligence which training and education alone can give. To guard the sacred truth of equal rights we must go one step further. We should furnish to all our countrymen the means for that instruction and knowledge without which wise and honest self-government is impossible."

the vocabulary of greeting and acclaim.[1] As on all the previous journeys of the President among the people in various parts of the country, Mrs. Hayes shared the public honors and manifestations of popular approval with her husband and was the recipient of innumerable special attentions.[2] The addresses made by the President throughout this tour were of the most informal and familiar character, adapted with instinctive tact to the varying circumstances of locality and occasion. They glowed with appreciation of the people's cordiality of welcome; they were eloquent in admiration of the glories of the mountain scenery, and in expressing constantly increasing surprise at the wonderful resources and at the development already accomplished of the Far Western country. In all respects he had found his anticipations outstripped by the facts. If he touched at all on questions of national concern, it was to plead for national unity and to seek to arouse interest in the cause of national education which he had discussed in Ohio. The most important

[1] "Californians rejoice in having among them at this moment the first President of the United States who has ever visited them whilst in office. He is receiving everywhere, and from everybody, just that kind of whole-souled welcome that was to be expected at the hands of our people. He is receiving it, first, because of the respect due to his high office, and secondly, because of the esteem in which he and his family are personally held. He is not receiving it on any partisan or sectional grounds. . . . Though he took office at a difficult time, under most trying circumstances, and by the aid of dangerous — because extreme partisan — supporters, yet he rose to the full height of his obligations to all sections. He cut adrift from the men who expected to use him for evil, and who are chagrined because they could not, and he wisely, generously, and most manfully gave peace to those who were sorely in need of it. He has purified the public service, cleansed the official atmosphere of Washington, set a sober, moral, and in every way noble example of private and public life. He has stood firmly by sound finance, and so done not a little to promote the present prosperity. He has intrigued for no second term, but is content to hand over the Government, at the proper time, to his successor. Take it altogether, his course has been admirable. It has been creditable to himself and worthy of the country. That all being true, we should have proven ourselves unworthy of California's fair fame if we had extended to our President and his family a less hearty welcome than he and they are now receiving." (San Francisco *News Letter*, September 11, 1880.)

[2] At San José, for example, the Women's Christian Temperance Union gave her a great reception and presented her with a beautiful silken banner, inscribed with her name and bearing the Bible quotation, "She hath done what she could." A poem comparing her with Una was read, the last stanza being: —

> "Hark while we pledge her, not with sparkling wine,
> But in our sweetest, purest, brightest water —
> Long life, and all good gifts of God be hers,
> Our Lady of the Light — Our Nation's Daughter!"

and serious speech of the entire journey was made from the steps of the capitol at Sacramento (September 22) in response to an address of welcome by Governor Perkins. After speaking of the impressions received during his two weeks of travel in California the President, with frequent interruptions of applause, said: —

What is to be the future of this beautiful land? It seems to me that the people of the Pacific Coast have upon them a great responsibility. It is an old theme of discussion, I know, in debating societies, as to whether man's fortunes in this world, their successes and failures, are due more to the circumstances attending them or to their characters, their capacity. It is just the same in relation to communities, whether the circumstance attending them will make them great and successful and happy, or whether it is mostly and chiefly their own integrity and character. Now, let me say, in my judgment, there is no equal number of people anywhere in the United States having such advantages and opportunities to do great service to the nation and mankind as the million or million and a half of people inhabiting what are known as the Pacific States and Territories of the United States. You occupy seventeen degrees of latitude on the Pacific Ocean; then with a little gap it goes on the Pacific again clear to the polar regions, to the peninsula of Alaska and the Aleutian Islands, stretching across like a great scythe, sweeping at one grand swath the commerce of these oceans into the matchless bay of San Francisco — that city now, hereafter, and always, to be the Queen City of the Pacific. This is what you possess geographically. You have your mines of inexhaustible wealth, and your commerce; you have the capacity for a population not less than that of our whole country at the present time; fifty millions can live upon this stretch of territory. And now the question is, Will this people that has done so much already, use these advantages so as to benefit the nation and mankind?

Our fathers, who lived just along the margin of the Atlantic, going scarcely beyond the tidewater of the Atlantic Ocean, began one hundred years ago to build up a nation upon new principles. They stood upon three great principles, set forth in three great charters. It seems to me that if we shall regard those charters — if we shall embody in our own, in our institutions, those principles, we shall be able to go forward conquering and to conquer. First, there is the Declaration of Independence; second, the Ordinance of 1787, for the government of the territory northwest of the Ohio; third, our Constitution. I shall not detain you with any lengthy discussion of the principles of those great instruments, but merely name the principles.

First, then, the Declaration of Independence. It embodies the sentiment expressed by Lincoln: "Let every man have a fair start and an equal chance in the race of life." It expressed the sentiment of the

Divine Master: "Do unto others as ye would they should do unto you." It is the great corner-stone — "Equal rights of all men before the law." That is the very foundation-stone of our institutions. My friends, that victory is alone worth having — that victory which causes the soldier the greatest delight — which is won after a long and stubborn fight — victory snatched out of the very jaws of defeat. Then, whatever difficulties you have here with these great questions, they will all work out right if the Anglo-Saxon race will stand on that great principle of equal rights of all men.

Now, the next one, the Ordinance of 1787. If you are to have one race, equal suffrage, universal suffrage, you can only do it by having universal education. Religion, morality, and knowledge are essential to good government, and therefore free schools should be encouraged. With the motto of equal rights and universal education, every community is safe.

Now for the third and last. What is the essence of the Constitution? Is it not this: That this country, all these States, with their different names, their different methods of local government, their different ways, belong at last to one Union, which is to be perpetual, and over all one supreme government controlling the things which are of general interest to all the people of the United States, and leaving the local self-government to control, under certain limitations, the things that belong only to the locality?

Now, with these three principles we are safe. Think of the difference of one government over all these States from what it would be if there were thirty-eight sovereign governments over them, each State with its flag, each State with its navy, with its army, with its immense debt. Why, my friends, if the Rebellion had succeeded, and this country had been torn into separate confederacies, what would the world ever care for the flag of any State, however great? Little jarring communities, thirty-eight of them, rivals of each other, their flags would command no respect abroad. And now, with one flag, and one country, and one Constitution, and one destiny, where are we? We have the judgment of the world on that question. As I said at the soldiers' reunion in Ohio, and I say it to you now, there is one flag in the world, and only one, which no good man or woman ever wishes to leave for any other flag. There is one flag in the world, and there is only one, that good men and women, born under another flag are glad to fly to, leaving the flag under which they were born. That is the world's judgment in favor of the institutions and the flag of the United States.

I am glad to meet you in California, and I say to you that we are looking to you as the vanguard of progress. As civilization advances we have generally moved to the westward. You have got to the end of the march. You have reached the margin, and now it is for you — and I believe you may safely be trusted with that destiny — to see that in the future, as in the past, American institutions and the American name shall lose nothing at your hands.

The President arrived at his Fremont home, after his long journeying, early Monday morning, November 1. The evening of that day the Republicans of the town assembled and marched with torches, band playing, to Spiegel Grove. In response to their greeting the President made his one brief political speech of the campaign. He began by saying: —

> It is too late now to enter upon a political discussion. The important question which has engaged the American people for the last three months has been presented, and it is now too late to discuss it. I may state what seems to me to be the question which will be decided to-morrow. We are interested, all of us, in the national unity, in the supremacy of the general Government. We are interested, all of us, in the general prosperity which the American people now enjoy. The desire of our citizens everywhere is that this national unity shall be preserved; that this prosperity which we are now enjoying shall be continued, and the desire of good citizens must be to-morrow to achieve those results.

These results, together with the preservation of the protective system and of a sound currency, he urged, could best be achieved by the election of General Garfield. Two days after the election he was at Cleveland and shared in the celebration of the Republican victory. He rejoiced that the majority was so great that there could be no dispute over the result. He rejoiced because he knew that General Garfield was worthy of the success he had achieved; he was "the model self-made man in our history — the best illustration and example of what, under our institutions, may occur to the humblest boy, an example of what can be done in a country where all have a fair start and an equal chance in the race of life." And he rejoiced because he felt sure that under Garfield's wise, moderate, and firm administration the country would enjoy an era of unequalled prosperity, and that every part of the country would continue to be fairly and justly dealt with.

On the following day to the Republican Business Men's Club, which in entertaining him gave his Administration large credit for the Republican victory, the President modestly said: —

> The very complimentary remarks we have just listened to contain some things which are rather extravagant, but which I have occasionally heard and which I cannot reply to with more than the simple expression of my gratitude that my friends feel moved so to speak. It

has been my firm purpose to do that which appeared to me for the good of the whole country and that of each and all of its inhabitants. I have believed the principles of the Republican party were so just and generally wholesome that whatever was done for the true welfare of the country would tend to the establishment of those principles in public estimation. I have acted in strict accordance with my belief, heretofore expressed, that that which best serves our country serves best our party. I rejoice that at the close of my term of office, or so near that close that my successor has been elected, my friends are able to feel that in strictly doing that which seemed for the best interest of the whole country, I have to some extent promoted the success of the Republican party. I am glad to be able to feel the principle is established that the man who thinks what is best, and will at the same time do what is best for all the people, will also be doing that which is best for the Republican party.

The President returned to Washington with a light heart, justly feeling that the country by its decisive vote for General Garfield had expressed its approval of his Administration. He was ready to meet the duties and responsibilities of his remaining months of service with serenity and steadiness of purpose, rejoicing that the goal of retirement was so close at hand, and that the task he was about to lay down was to be taken up by a man whose political principles and purposes were in substantial accord with his own.

CHAPTER XXXVIII

LIFE IN THE WHITE HOUSE

THE entrance of Mr. Hayes and his family into the White House marked the beginning of a period of greater simplicity and moderation in the social life of the Capital. Ostentation, extravagance, and vulgar display of wealth, which had grown to be familiar features of the society of Washington, demoralizing in their influence on the younger members and attended not infrequently with positive excesses of conduct, gradually gave way to "nobler modes of life, with sweeter manners, purer laws," under the force of the example of the White House, where the best traditions of genuine American family life were preserved; harmonious, sincere, natural, and hospitable.[1]

[1] The press of the day is full of comment and commendation of the new conditions. For example, an editorial article in the Philadelphia *Times* (Colonel A. K. McClure, editor) of March 30 says: —

"Mrs. Hayes deserves the thanks of every true woman for the stand which she has taken against extravagance in dress. She has carried to the White House the same quiet dignity and ladylike simplicity for which she was distinguished at home; and her dress on public occasions, while invariably handsome and becoming the wife of the President, has also been invariably unostentatious. At the inauguration she wore merely rich black silk with real laces, and no jewels save the brooch at her throat. At the state dinner given by President and Mrs. Grant to Mr. and Mrs. Hayes her dress was a cameo-tinted silk, high in the neck and trimmed with fringe and lace. She wore no jewels, and her thick brown hair was brushed plainly over her brow and fastened at the back with a tortoise-shell comb. At even her first reception as mistress of the White House her toilet was remarkable for its simple elegance rather than for brilliancy or cost. Thus early was the example set.

"Society in Washington during the past few years has been chiefly remarkable for its reckless extravagance, and in nothing has that extravagance been carried to greater lengths than in the dress of its women. The newspapers have teemed with stories of this; how thousands of dollars have frequently been spent on a single toilet. It has been openly, and no doubt truthfully, alleged that much of the corruption which disgraced the late Administration arose from the desire that wives and daughters might be gorgeously arrayed on state occasions."

In this connection the pen-portrait of Mrs. Hayes, as she appeared on the day of the inauguration, by the well-known newspaper writer, Mary Clemmer, is interesting: "Meanwhile on this man of whom every one in the nation is thinking, a fair woman between two little children looks down. She has a singularly gentle

The White House became for the time being, so far as its domestic life was concerned, an American home of the best type, in which splendor of appointments and pomp of entertainments were so dominated by the unaffected good taste and naturalness which directed their use that they were felt to be wholly subordinate and incidental. Neither the President nor Mrs. Hayes attached overmuch importance to the "trappings and suits," the millinery and parade, of official eminence. All that was right and dignified and becoming to the Presidential station was quietly observed, while artificial distinction, flunkeyism, "fuss and feathers," were conspicuously lacking, and a veritably democratic spirit prevailed.

The President's family in the White House consisted regularly of his second son, Webb Cook Hayes, just out of Cornell when his father was elected, and the two young children, Fanny

and winning face. It looks out from the bands of smooth dark hair with that tender light in the eyes which we have come to associate always with the Madonna. I have never seen such a face reign in the White House. I wonder what the world of Vanity Fair will do with it? Will it frizz that hair? — powder that face? — draw those sweet, fine lines away with pride? — hide John Wesley's discipline out of sight, as it poses and minces before the first lady of the land? What will she do with it, this woman of the hearth and home? Strong as she is fair, will she have the grace to use it as not abusing it; to be in it, yet not of it; priestess of a religion pure and undefiled, holding the white lamp of her womanhood unshaken and unsullied, high above the heated crowd that fawns and flatters and soils? The Lord in heaven knows. All that I know is that Mr. and Mrs. Hayes are the finest-looking type of man and woman that I have seen take up their abode in the White House."

Vanity Fair, during all the years in the White House, did not change Mrs. Hayes, unless it was to strengthen her in the graces of character. Miss Clemmer testifies to this in the *Independent* the week after the close of the Administration. Miss Clemmer became herself personally devoted to Mrs. Hayes and was often the recipient of flowers from the White House. June 7, 1880, in acknowledgment of a magnolia grandiflora, she addressed the following sonnet to Mrs. Hayes: —

"O peerless blossom! Fold on fold of snow
Lieth unsullied on thy golden heart,
Shutting from careless eyes the inner glow
Half flame, half fragrance, burning deep apart
Core of thy being. O'er thee rude winds blow,
And voices harsh roll inward from the mart,
And dust of highways on thy petals blow
But pure as ether thou dost bloom apart.

"Like her who sent thee unto me thou art!
Thy mystic cup, thy consecrated wine!
Thy stainless gold lit by white faith divine,
Its samite folded o'er thy glowing heart,
Thy state of womanhood star-like doth shine,
Regina, reigning at Love's holiest shrine."

and Scott. There were frequent visits during vacation times from the two other sons: Birchard, attending the Harvard Law School and later entering on the practice of his profession in Toledo; and Rutherford, a student at Cornell. Miss Emily Platt, a niece of the President, from Columbus, Ohio, spent many months at the White House; and other relatives came for longer or shorter stays. Each winter during the social season Mrs. Hayes kept the White House full of young ladies, the daughters of old friends or of the newer friends that the amenities of public life and her unfailing grace of personality won for her in great number. These guests, who flooded the house with the light and joy of enthusiastic youth, under the gentle stimulus and sympathetic guidance of its mistress, never ceased in their after years to recall with pride and elation the endless experiences of the days glorified for them by "the first lady of the land." Lapse of time only deepened the impression made by her serenity and poise and benignity, which never deserted her, however freely she displayed her delight or engaged in the simple and innocent joys of life.

Mr. Hayes made few changes in the domestic force of the White House or in the clerks of the executive office, several of whom had already been at their posts since Lincoln's time. William T. Crump, who had been his orderly in the army, was installed as steward; he was a faithful and efficient man and remained in the White House service for many years.[1] His private secretary was William K. Rogers, who had been his friend since early manhood, and who was for a brief period his partner in the first years of his law practice at Cincinnati. Mr. Hayes had wished one of his more intimate friends, either

[1] Winnie Monroe, a colored woman, who had long been a servant in the Hayes household, continued in that capacity in the White House. She was fat, good-natured, and efficient. "Both Winnie and Crump were devoted to their employers. . . . In my recollection there never has been a time when the White House was so well served. It was such a glorious period for Winnie that she was not at all contented, when, with the Hayes family, she retired to Ohio and private life. She soon was back in Washington. 'Law, chile,' she remarked to one of her fellow officials who had remained in the White House service, 'I cain't stay in no Ohio — not aftah I been the fu'st culled lady in de lan'!' . . . When Winnie died, not long afterward, the daughter sent to General Hayes for help. The general telegraphed me from Ohio to make all the necessary funeral arrangements and send the bill to him." (William H. Crook, *Through Five Administrations.*)

William Henry Smith, former Secretary of State of Ohio and at that time the General Agent of the Western Associated Press, or General M. F. Force, one of Sherman's able division commanders, at that time a judge in Cincinnati, to be his secretary; but Mr. Smith's engagements would not permit him to consider the question, and General Force regarded the position, which had usually been held by a young man and had not as yet been rated either in salary or honor at its intrinsic importance, as hardly comporting with his age and dignity. So the choice had fallen on Mr. Rogers, who was a man of scholarly tastes, of pleasant manners, and of dignified appearance, but who was deficient in practical sagacity, inexperienced in public affairs, and unacquainted with public men. He had tried the ministry, the law, and business pursuits without achieving success; and always Mr. Hayes had come to his rescue when he was in straits, — remaining true to the early friendship and finding pleasure in his loyalty and his agreeable personality.[1] He proved capable enough for the ordinary routine duties of his post; but the more delicate and difficult functions, which required quick intuition of political forces, knowledge of men, and apprehension of the currents of public opinion, were quite beyond his depth. The result was that some misunderstandings and embarrassments came about in the relations of the White House with the newspaper correspondents and with public men which a wiser and more tactful private secretary would have been quick to forestall. The ineffectiveness of Mr. Rogers was in large measure offset, however, by the President's son, Webb, who acted as confidential secretary, and who, young as he was, showed such tact and good sense in the performance of his duties as to win general respect and confidence. He was always present at Cabinet meetings, ready to supply any papers that might be required.

The President was most methodical in his habits of life and

[1] "W. K. Rogers, my old friend, and with me as private secretary during my term as President at Washington. A man of fine culture, noble sentiments, a true friend. Too guileless for practical life and so unselfish and unsuspecting that his business ventures have generally been failures. He is interested with me at Duluth. Hence his visit. . . . Rogers left for home, via Wellington, 3 P.M. He added two thousand dollars to the debts for which I am his surety." (Diary, November 26, 1887.)

work. He rose at seven and busied himself with writing until breakfast was announced, at half-past eight. Breakfast was followed by morning prayers. A chapter of the Bible was read, each person present reading a verse in turn, and then all knelt and recited in unison the Lord's Prayer. Thereupon the President went immediately to his office and gave himself to the dispatch of business until ten o'clock. The next two hours were spent in the Cabinet room where callers were received, members of Congress having precedence of all visitors except Cabinet Ministers. Persons who came merely to show respect were admitted in small groups from time to time and had to be content with a handshake and a simple word of greeting. Tuesdays and Fridays were the regular days for Cabinet meeting, which occupied the time from twelve to two. On other days these hours were devoted to callers who came to present all sorts of questions of public business and official patronage. In such conferences the President constantly surprised the politicians from remote parts of the country with his intimate knowledge of the men and the political conditions in their particular States. While invariably courteous he knew how to terminate an interview when he chose, and his usually mild voice could on occasion assume notes of sternness and decisiveness which awed the importunate or aggressive visitor and sent him away, if not satisfied or convinced, at least with heightened respect for the President's dignity and power.

The Cabinet discussions were conducted in the most informal way,[1] each member freely expressing his judgment or urging his

[1] "The members of the Cabinet drop in one by one, but they are all on hand by twelve o'clock. Each member brings his portfolio. The President sits at the head of the table and Secretary Schurz at the foot; on the right next to the President is the Secretary of State, next to him the Secretary of War, and beyond him the Postmaster-General. On the left next to the President sits the Secretary of the Treasury, and next to him the Secretary of the Navy, and next to the Secretary of the Interior on that side, the Attorney-General. After the Cabinet meets it is ten or fifteen minutes before the members get to work. That ten minutes is taken up in greetings and offhand talk, in which the spirit of fun and humor crops out a good deal. The Cabinet are all men with a sunny, fun-loving side when out of official harness. Judge Key is, perhaps, the jolliest, though the Attorney-General pushes him hard for that distinction. Secretary Thompson is a proverbial lover of a pleasant joke, while Secretary Schurz is hardly equalled in telling one. Secretary McCrary is a good story-teller. Secretary Sherman does not indulge in humor often, but when he does, it is, on account of its unexpected character, the

views on any question of public policy or governmental action that was propounded. On no occasion, whatever differences of opinion appeared in the Cabinet debates, did acrimonious disputes arise. The members were not in every instance completely at one in approving the policy or action that seemed wisest to the President. But on all the great questions that came in controversy, the President's judgment, when finally determined, commanded the support of either all or a decided majority of his ministers.

At two o'clock luncheon was served; a simple meal of bread and butter, tea, and cold meats. Usually the President invited some visitor with whom he desired a longer conference than the business hours afforded to share the meal with him; though affairs of state were not allowed to absorb the attention to the exclusion of topics of general interest. The luncheon was so informal that it was always an occasion for the cheerful interchange of views on whatever topics were uppermost in the thought and discussions of the day.

After luncheon the President began the examination of the correspondence of the day. An index of all the letters received was submitted to him, giving a brief epitome of the purport of each. He checked off such as he desired to read, and these were laid before him, each letter in a separate long envelope on which was written in clerkly hand the name of the sender and a concise statement of its subject. The President seldom dictated letters to a stenographer. He wrote many letters, most of them short, with his own hand, rarely retaining copies. In the case of

more enjoyable. Secretary Evarts is one of those of the quietly humorous sort. His fund of dry humor and wit is inexhaustible, and though not uproarious is keenly enjoyable. The President has probably the heartiest Cabinet that any President ever assembled around him. The old bores who keep at them day by day are unmercifully dealt with by the heads of the departments when they assemble. The Attorney-General seems to take a peculiar delight in joking Secretary Thompson. At a recent Cabinet meeting the Naval Secretary took with him a list of midshipmen who had passed their examinations. The Secretary called attention to them and said he would like that their nominations for promotion to ensigns be sent to the Senate as soon as possible,'as they are worthy young men who have thoroughly earned their spurs.' 'Mr. Thompson,' interrupted Mr. Devens, 'how long since have they been wearing spurs in the navy?' After this ten minutes' of boy play before school, the President calls the meeting to order. The regular business is taken up, the Secretary of State leading off with his budget." (Washington *Star*, July 14, 1879.)

most of the innumerable communications he received that demanded more than a mere acknowledgment, he would indicate briefly to one of his secretaries the nature of the response to be made and leave it to him to give the reply proper expression. At half-past three the President would go for a drive, accompanied by some member of the household or some friend, which would last until five o'clock. Then he gave a few minutes more to his correspondence, took a brief nap and dressed for dinner; at which nearly always guests were present. The evening until bedtime, at eleven o'clock or later, was occupied with callers who came by appointment to discuss important matters of public concern. By the time the last caller left the President was weary in body and mind from the long hours of almost incessant devotion to the never-ending variety of questions that require the attention and decision of the Chief Magistrate of a great nation. Then, before retiring, as had been his custom at Columbus, he took a short walk, often calling on Mr. Evarts, or Chief Justice Waite, or some other close friend.

The President usually slept well. Even after days of assiduous endeavor and when most worried with pressing cares and responsibilities, he was able with the exercise of his disciplined will power to throw off the vexations of the day and quickly to find repose. He kept his health in almost perfect condition during his entire term by conscientious gymnastic exercise every morning on arising from bed, by walking rapidly a few minutes after each meal through the lower hall and conservatory, and by moderation in his diet. He drank a single cup of coffee at breakfast and one cup of tea at luncheon. Nothing else in the nature of a stimulant passed his lips. Tobacco in any form he had never used. While he had not all his life been a total abstainer from alcoholic beverages, he had always been strictly temperate, only occasionally enjoying with friends a glass of Rhine wine or something of its quality. But shortly after entering the White House he became convinced that for Americans, at least, the only safety lay in total abstinence, and from that time on to the end of his life he consistently put his conviction in practice. His splendid vigor, his capacity for work, his resiliency after long strain and periods of unremitting effort, were a constant and striking argument for the temperance cause.

While the President was busy in his office with his evening callers, Mrs. Hayes and her house guests were at home in the parlors below, ready to welcome any visitors that presented themselves.[1] The rooms were made attractive with potted plants and a profusion of cut flowers from the conservatory, to the care and arrangement of which Mrs. Hayes gave personal attention. Often there was music and singing when famous artists were at the Capital. Usually the callers were numerous, made up alike of people in the official and social life of Washington and of persons from other parts of the country who happened to be in the city. The members of the Cabinet and their families, Vice-President Wheeler, who became devotedly attached to the Hayes household,[2] General Sherman, Chief Justice Waite, George Bancroft, and many other distinguished personages were frequent callers. All, whether well known or obscure, were sure of a kindly greeting from Mrs. Hayes and were instantly made to feel at ease with themselves and their surroundings.[3] Mrs. Hayes possessed a positive genius for making

[1] The editor of the *Iowa State Register*, writing to his paper from Washington in December, 1877, said: "Visitors come and go to the Executive Mansion with welcome and freedom, and the lady of good heart who is mistress there finds more delight in doing a kind deed than in receiving high honor. Every evening she has receptions, or rather is ready every evening to see all who may call upon her. Already her kindness is widely known, and many wounded hearts go to her for comfort and are soothed. Who shall say that such a woman is not of value beyond rubies and all riches?"

[2] Mr. Hayes's estimate of Mr. Wheeler is given briefly in his diary at the time of Mr. Wheeler's death: "The news of Mr. Wheeler's near approach to his end seems to be confirmed. To use his own phrases, he was 'a rare man'; 'every fibre of his nature' was sound and true. He was one of the few Vice-Presidents who was on cordial terms — intimately and sincerely friendly — with the President. Our family all were heartily fond of him. He came often to the White House, and often expressed in strong language the pleasure his visits gave him. In character he was sterling gold." (Diary, June 3, 1887.)

"Mr. Wheeler, ex-Vice-President, died this morning of softening of the brain. One of the excellent examples of a New England man of ability and character, who by sheer force of perseverance, integrity, and good conduct rose from poverty to independence and honorable place. . . . I will start for his home in northeastern New York at Malone to-morrow evening, via Syracuse and Ogdensburg." (Diary, June 4, 1887.)

[3] "Mrs. Hayes has a remarkable memory for faces, for names and incidents, and there is a certain *empressement* in her way most gratifying to strangers and casual acquaintances — it reassures the timid and puts at ease the embarrassed. 'Her smile,' now a hackneyed theme, on which all the terms in the *Thesaurus* have been brought to bear, is not a set smile of which one would soon tire, — not

RUTHERFORD B. HAYES

From Portrait painted for the White House by Daniel Huntington

people about her happy. When she was in a group there were no embarrassing silences. Her social tact, her quick intuition, her unaffected kindness of heart, and interest in others' pursuits, and her brightness and charm of conversation captivated all who came within the sphere of her influence.[1] In the most easy and natural manner she would move about the rooms from one group or guest to another so as to make sure that no one should feel neglected or be left long stranded in difficult or uncongenial company. Whenever it was possible for the President to escape from his desk, he would descend the stairs and find relaxation by mingling among the callers and joining freely in the conversation.[2] These quite informal evening gatherings, where all was bright and cheerful and of good report, became the distinctive

the meaningless grin you might suppose, — but a smile that comes and goes, and illuminates her face with an expression of pleasure, sympathy, kindness, graciousness, dignity, or gratification, as the appearance or way of the person to whom she gives it calls forth." (Washington correspondence Cincinnati *Enquirer*, January 13, 1879.)

[1] The Reverend Dr. J. O. Clark of Macon, Georgia, writing to his wife, from Baltimore, June 25, 1878, of a visit at the White House, said: "Coming into the room with a pleasant smile, she [Mrs. Hayes] introduced herself with an ease and grace which made me feel perfectly at home in her company. In a few moments we were talking as if we had known each other for years. Her manners are charming, characterized by great simplicity and the absence of all affectation. She is not beautiful, and yet she *is* beautiful, for her face mirrors the pure soul within. This lady captivates all whom she meets; and this she does without art. In her presence the conviction is irresistible that you are conversing with a true woman — an Israelite, indeed, in whom there is no guile, and in whom the gentlest and noblest Christian graces are happily blended in associated beauty. You feel that you are with a true wife and mother, as well as with a lady of exalted rank and dignity. In social life, as the wife of the Chief Magistrate of the nation, her position is the highest in the land. And right well and nobly does she fill it. But this she impresses upon you, not by any stateliness of manner, not by any assumed air of superiority so common to many of exalted rank and dignity; but by her affability, her gentleness, and the unstudied ease with which she receives all visitors. And this is the unanimous testimony of all who have met her, whether friends or foes of the Administration of her husband."

[2] The Washington correspondent of the Philadelphia *Times*, which was far from friendly to the President, writing to his paper in November, 1877, uses this language: "The White House and its inmates are exceedingly popular. There is a refreshing absence of pretension and formality. The President and his wife have courteous, cordial manners, which spring from kindness of heart. They are quick and ready in conversation, so that there are no awkward pauses. They are not afraid to converse freely, and do not appear to put any restraint upon their utterances, as though they feared misrepresentation. This, too, is a contrast to the last régime."

social feature of Mrs. Hayes's régime at the White House. There had been nothing to compare with her social grace and influence and esteem since the time when the famous and accomplished Dolly Madison had won the allegiance of all hearts. Thomas Wentworth Higginson, whose judgment even the most censorious would hesitate to impeach, believed "that American manners of the best type are the best in the world, because they are the nearest to 'kind nature'"; the last words being an allusion to Tennyson's declaration in "Walking to the Mail." And it was such manners, he declared, that Mr. and Mrs. Hayes exemplified in the White House — manners whose foundation was laid in conscience and religious sentiment "without narrowness or bigotry."

Sunday afternoon the President habitually went for a long drive into the country with Secretary Sherman, who throughout his Administration was his most intimate counsellor and confidant. Together on these occasions they discussed all questions of administrative policy, canvassed the varying phases of political activity and of party fortunes, and strengthened each other for the immediate duties that confronted them. In the trying times of the first months of the Administration, when the hostility or antagonism of Republican leaders to the President's action in the South, to his civil service reform principles, and to his financial policy, was most active and most outspoken, these quiet Sunday afternoon conferences, in the open air, along the highways, with the dome of the Capitol rising pure and majestic on the far horizon, abiding contrast to the petty contentions of the hour, were to the President a source of inestimable refreshment and encouragement in pursuing the courses he had marked out for himself.

Mr. Hayes gave ample time and care to the preparation of his state papers and set speeches. Not infrequently he began early to jot down in his diary the ideas that he proposed to elaborate. When he came to the task of writing he had thought out his subject so clearly in his mind that the words flowed rapidly from his pen, on whatever paper lay at hand. He revised carefully, his manuscripts showing frequent erasures, interlineations, and changes of expression in the interest of clearness and precision; often whole paragraphs were recast to give them better form or

apter expression. When he was satisfied with his production, it was copied by one of the secretaries and put in type by the public printer. Then the proof-slips were subjected by the President to the most painstaking scrutiny, resulting in still further improvements and modifications, not so much for the betterment of style as for the purpose of rendering the meaning precise and unmistakable. "I have not in such work," Mr. Hayes writes in his diary (May 25, 1879), "been careful as to style, except to have my papers state principles in a way to satisfy men of ability and culture that the statement is sound, and to so phrase and put my propositions that the plain people can readily understand them." As is almost sure to be the case, clear thinking with him led to clear writing; and, whenever questions of principle were involved, his earnest convictions were reflected in the vigor and penetration of his language.

The President and his household were regular attendants Sundays on divine service. Mrs. Hayes was a member of the Methodist Episcopal Communion. The great and fashionable Metropolitan Church of that denomination, which President and Mrs. Grant had frequented, had hoped to continue to be known as the Presidential church. Mr. and Mrs. Hayes, however, with their instinctive aversion to display, walked unobserved, on their first Sunday in Washington, to the nearest Methodist church — the comparatively obscure Foundry Church — and made that their church home throughout their stay in Washington; contributing liberally to its support and to all the causes in which it was interested. And in spite of all the exactions that her position and constantly increasing popularity made upon her time and strength, Mrs. Hayes persistently exercised the habits of benevolence and charity which had characterized her life in Ohio, alike in private and public station. Many a needy family in Washington had reasons for gratitude to the gracious mistress of the White House who had ministered to its necessities; and innumerable sick chambers were brightened with flowers from the White House conservatory. Especially assiduous were Mrs. Hayes's ministrations to the distresses of any old soldier or of those dependent on him.[1]

[1] Mrs. Hayes was never afraid her dignity would suffer when chance for a kind act offered. One day Sir Edward Thornton, the British Minister, with some

Sunday evening at the White House had a character quite its own. Intimate friends were invited to participate in the family dinner, and others would join the group later for an hour of social intercourse and music in one of the parlors. Hymn-books were distributed, and with some one at the piano, one favorite hymn after another would be sung. Mrs. Hayes herself possessed a sympathetic contralto voice, and sang with a joy and enthusiasm which quickly affected all who were present and brought them into the spirit of the service. By the time the singing was over all were at perfect ease with one another, and general conversation flowed on without constraint, but mellowed and softened by reason of the recent mingling of voices in songs of spiritual import. After such an evening the guests, however important posts in public affairs they might hold, left the White House with the feeling that, after all, there were things in life to interest the human spirit and to demand its allegiance other than engrossing questions of statecraft or party control.[1]

English friends, called at the White House. As the visitors entered the Blue Room, what was their surprise to see Mrs. Hayes sitting on the floor, needle and thread in hand, while before her, half reclining on the central divan, sat an old ordnance-sergeant. The callers were about to retire, when Mrs. Hayes looked up and laughingly bade them stay. She rose from the floor, shook hands warmly with the veteran, and, parrying his thanks, assured him that his uniform was now perfect. The incident was characteristic of her instant and self-forgetful kindness. One of her sons some time before had discovered at the Soldiers' Home a veteran of the battle of Fort Stephenson (at Fremont), in the War of 1812, named William Gaines. Subsequently Gaines received a pension for his services in the War of 1812 and in the Mexican War, and a complete full-dress uniform was ordered sent to the White House for him. He was brought in from the Soldiers' Home that day to don his uniform and to be photographed. Having put on the uniform, Gaines discovered that the sergeant's stripes for the trouser seams had been sent loose to be used at the wearer's discretion. He was greatly distressed at the thought of being photographed without these stripes. Mrs. Hayes, who had come down to greet him in the Blue Room, at once sent for needle and thread, that she might herself stitch them on. She was just finishing the task when the British Minister and his guests entered, and saw the Mistress of the White House in so unusual a posture. When they heard the story of the old veteran, they only admired Mrs. Hayes the more.

[1] The editor of the Pittsburg *Christian Advocate* was present at one of these Sunday evenings in the winter of 1878, and wrote of it in his paper. Among the guests were "the Vice-President, General Sherman and daughter, Secretary Schurz, Attorney-General Devens, Senator Ferry, General Hastings, Congressman McKinley, Assistant Surgeon-General Woodward and wife, and Mr. Dickinson, private secretary of the Vice-President. Mrs. Woodward takes the piano,

Every Thanksgiving Day all the secretaries and clerks of the White House with their wives and children were invited to share the old-fashioned family dinner; and on Christmas Day they were again at the White House, when each and every one of the household received a present from Mrs. Hayes.[1]

Besides the continuous exercise of informal hospitality and the constant entertainment of special guests, invited to spend days or weeks in the White House, there were, of course, the formal state dinners and the great ceremonious receptions which have come to be established functions of the social life of the White House. About these it is unnecessary to speak in detail, for their characteristics have often been described and they are much alike, whoever is the occupant of the Executive Mansion. It was the contemporary judgment of persons of long experience and observation of Washington social life that never had more sumptuous dinners of state or more brilliant and better ordered receptions been given in the White House than while Mr. and Mrs. Hayes presided over its destinies.[2] One feature of these

and the first hymn sung is 'Jesus, Lover of my Soul,' followed by 'Majestic sweetness sits enthroned,' 'Jesus, let thy pitying eye,' 'My days are gliding swiftly by,' 'Nearer, my God, to Thee,' 'Tell me the old, old story.' The singing of such hymns filled up the hour, closing with

'Blest be the tie that binds
Our hearts in Christian love.'

A season of genial conversation, and the company breaks up. No cant, no assumed solemnity, marred the hour. It was a time of Christian cheerfulness. Nothing was more pleasing than to see General Sherman, the hero of so many battles, join with evident relish in the exercises of the evening."

[1] "Sometimes she bought the presents herself, in which case she would be at work for weeks beforehand. Sometimes, when she was rushed, she commissioned Webb Hayes and me to buy them. At those times there would be a card for each one, to give the more personal touch. At about noon on Christmas Day every one was called into the library. There, in a heap in the middle of the floor, were the presents. Beside them waited President and Mrs. Hayes, and little Miss Fanny and Scott waited 'first on one foot and then on t'other' for the festivities to begin. The President or his wife read out the names and picked out the presents, and the two children danced about distributing them." (William H. Crook, *ubi supra.*)

[2] For example, the Washington *Star* of January 16, 1878, reported: "The first public reception the President has held in the evening since his inauguration was one of the pleasantest in the annals of the White House. While the parlors were well filled, there was no such crush as so often destroys all the pleasure of these soirées. Mr. Webb Hayes made the introductions to his father and Colonel Casey to Mrs. Hayes, who was looking especially pretty in a polonaise of white *gaze de Chambéry* over a trained skirt of white silk trimmed with the same material. The

entertainments, and, indeed, of all White House entertainments during Mr. Hayes's Administration, was distinctive and unique in the history of the Republic, until it was reëstablished by President Wilson. And that was that no wine or other alcoholic beverage was ever served.[1] Mr. and Mrs. Hayes had

waist was high and the front filled in with white tulle. Miss Foote, Miss Platt, and Miss [Allie] Smith [daughter of William Henry Smith], the latter a recent and very attractive addition to the White House circle, were in the back part of the room, moving from one to another of the guests, exchanging pleasant greetings and engaging in merry conversation. They made the reception resemble more an entertainment in a private house than a stiff and formal state occasion."

"Last evening we had a new sort of gathering at the White House; an official entertainment of the diplomatic corps. Guests invited and refreshments. . . . The only private citizen invited was Mr. Corcoran. Mr. Bancroft spoke warmly about it; said it was the finest affair ever had in the White House. Many others talked in a similar strain. It was, no doubt, a successful and enjoyable affair. Lucy and I received and shook hands with the stream of people about two hours as they were coming in, and, after a few minutes' promenading, — I with Mrs. McKinley, Lucy with Mr. George Bancroft, the venerable historian, — we again took our places in the East Room fronting the main entrance and a little back of the central chandelier and again shook hands for an hour with the departing guests. We did not enter the dining-rooms until after eleven, when the affair was happily over." (Diary, February 26, 1879.)

"Our party to the diplomatic corps was all that could be desired. One mistake was made. We did not include among 'officials' the reporters — the gentlemen of the press. Strictly, they are not officials. But their connection with Congress is so intimate and important that they might properly be included with the officers of Congress. Nothing sinister was intended. It was not considered. But it has [caused] great irritation and accounts of the affair corresponding with the feelings of the writers have been sent out." (Diary, February 28, 1879.)

[1] The only exception to this rule was at the diplomatic state dinner, given April 19, 1877, in honor of the Russian Grand Dukes, Alexis and Constantin, when the long-established precedent was followed. It was soon after this dinner that the public came to understand that at no future entertainment, while Mr. and Mrs. Hayes presided at the White House, should wine be served.

Ben: Perley Poore, a famous Washington correspondent of the last generation, says in his *Reminiscences* (vol. II, chap. XXXI): "All of the state dinners while she [Mrs. Hayes] presided over the hospitalities of the White House were ostensibly strictly temperance banquets, although the steward managed to gratify those fond of something stronger than lemonade. True, no wine glasses obtruded themselves, no popping of champagne corks was heard, no odor of liquor tainted the air fragrant with the perfume of innocent, beautiful flowers. The table groaned with delicacies; there were many devices of the confectioner which called forth admiration. Many wondered why oranges seemed to be altogether preferred, and the waiters were kept busy replenishing salvers upon which the tropical fruit lay. Glances telegraphed to one another that the missing link was found, and that, concealed within the oranges, was delicious frozen punch, a large ingredient of which was strong old Santa Croix rum. Thenceforth (without the knowledge of Mrs. Hayes, of course) Roman punch was served about the middle of the state

strong convictions on this subject. They could see no sufficient reason why they should abandon the custom and habit of a lifetime when the White House became their home. They had never served wine at their table, and they were conscientiously opposed to its habitual use and to placing temptation in the way of others. They did not wish their family life in the White House to be different from what it had always been. Moreover, they knew what was going on in high society at the Capital; and they believed that the example of abstinence set by the White House would not only be right in itself, but would have wide influence in discouraging and discountenancing the growing fashion of the lavish use of intoxicants in social entertainment.[1]

dinners, care being taken to give the glasses containing the strongest mixture to those who were longing for some potent beverage. This phase of the dinner was named by those who enjoyed it 'the Life-Saving Station.'" — This story constantly reappears in the public prints. Mr. Hayes's comment on it in his diary (January 10, 1887) should therefore be given: "Also received, and read parts of, the two volumes of Ben: Perley Poore's *Reminiscences*. In the main fair to Lucy and myself. The joke of the Roman punch oranges was not on us, but on the drinking people. My orders were to flavor them *rather strongly* with the same flavor that is found in Jamaica rum. This took! There was not a drop of spirits in them! This was certainly the case after the facts alluded to reached our ears. It was refreshing to hear 'the drinkers' say with a smack of the lips, 'Would they were hot!'"

[1] "It is said General Garfield will restore wine and liquors to the White House. I hope this is a mistake. I am no fanatic on this subject. I do not sympathize with the methods of the ultra temperance people. I believe that the cause of temperance will be most surely promoted by moral, religious, and educational influences, and by the influence of example. I would not use the force of law as an agency for temperance reform. If laws on the subject are enacted, let them be for the security of the community — to protect the public from nuisances and crime. Let the temperance reformer keep to the text — influence, argument, persuasion, example.

"When we came here we banished liquors from the house —

"1. Because it was right, wise, and necessary.

"2. Because it was due to the large support given me by the sincere friends of the temperance reform.

"3. Because I believed that it would strengthen the Republican party by detaching from the political temperance party many good people who would join the Republican party, and would save to the Republican party many who would otherwise leave it to join the temperance party.

"If General Garfield rejects the practice I have inaugurated, he will offend thousands, and drive them into the hands of the temperance demagogues. He will lose the confidence of thousands of good citizens and gain no strength in any quarter. His course will be taken as evidence that he lacks the grit to face fashionable ridicule. Nothing hurts a man more than a general belief that he lacks 'the courage of his convictions.'" (Diary, January 16, 1881.)

There was much criticism of Mr. and Mrs. Hayes at the time for their course in this matter, a good deal of it brutal and malignant. They were charged with displaying a narrow, provincial, and puritanic spirit, — by some gross-minded critics even with parsimony,[1] — which was unbecoming to persons in their exalted

[1] Apropos of this the following letter is interesting: —

SPIEGEL GROVE,
FREMONT, March 10, 1891.

MY DEAR THOMAS, — I received from you or some other friend a "Washington letter to Philadelphia *Press*" on the President's expenses. It is carefully written and *seems* to be trustworthy. So far as I am concerned, it is in a good spirit, but is totally misinformed as to the result.

The truth is that having been adopted by my Uncle Birchard when quite young, as *he* had been adopted by my father when left an orphan as I was, I never was under the necessity to study economy. He required me at school to keep an account of my expenses, and occasionally examined it. But he never, that I recall, found fault with me on the score of extravagance. I never received in any office more than I expended. Rarely, as much. Possibly in the City Solicitor's office of Cincinnati I received as much as I spent, and about as much in the Presidency. As Governor and as member of Congress, and in the army I always spent more than I received. My habits were not expensive, and my family never lacked carefulness, but we had enough to warrant it and we lived freely — travelled always a good deal, and did not pinch ourselves in any respect.

As to the Presidency, this was the situation: We were opposed to the use of wines and liquors in our household. We continued at Washington the habits of our Ohio home. A bright and persistent correspondent, who failed to get the office he wanted, attacked us savagely on all occasions. He started many ill-natured stories, showing that we were too economical, and repeatedly charged that the total-abstinence rule at the White House was due to a desire to save expense. We did nothing that even *seemed* to warrant this attack. We spent in hospitality, charities, and generous living the whole amount. My belief is that no others ever spent so much in the White House as we did. Many old Congressmen (Mr. Stevens, Fernando Wood, and, I think, S. S. Cox) said repeatedly that they had known and heard of no one who entertained so much. Mrs. Hayes took pains always to have young ladies as guests from all parts of the country, South as well as North. Special entertainments were frequent. And the regular routine of affairs was made exceptionally brilliant and expensive. Many new dinners and entertainments were added to the "of course" affairs. Mrs. Hayes was busy with her whole-hearted energy in looking up the needy. When we left Washington a story was started that I had saved about twenty thousand dollars during my term. This was shown by the reduction of my indebtedness to that amount. This had an appearance of truth, and was perhaps derived from one of the family. But on looking up affairs at home it turned out that a large part of this reduction of my debts was from collections on real estate sales made before I left home.

I left Washington with less than one thousand dollars. If you find who the correspondent is, and that he is a fair-minded man, as I think he is, you may if it seems sensible to do so, take this matter up with him. But do not publish this letter which is for your information. The thing is not important *now*. I am

station. Especially, it would be in positive derogation of the taste and hospitality of the American people, if distinguished guests from foreign lands, where no dinner was ever served without wine, should be deprived at the President's board of their accustomed beverage. But it is for the giver of the feast to determine the character of the entertainment in accordance with his own ideas of propriety; and a European visitor in an American house has no more right to ask conformity to European usages than an American guest in a European house would have to expect that his prejudices should be observed.

On the other hand, the overwhelming mass of Christian citizenship of the country, the great body of the plain people, the universal voice of church organizations and of the religious press, approved and applauded the banishment of wine from the White House. They expressed their approbation in countless letters, resolutions, memorials, addresses, poems, and editorial articles. It was widely thought at the time that Mrs. Hayes was entitled to most credit for the edict against wine, though as a matter of fact the President was quite as decided as she in favor of the action.[1] The result was that Mrs. Hayes was exalted by the Women's Christian Temperance Union into a sort of patron saint; and her name was given to many of its branches. Wherever she went about the country, in the many trips she made, either alone or with the President, temperance women thronged to pay her homage, sounding her praises in every form of adulatory address. Finally, as a supreme expression of their appreciation and admiration, all the temperance societies of the country united in presenting to the nation a beautiful life-size portrait of Mrs. Hayes painted by the celebrated Daniel Huntington.[2]

not blamed by any person on the score of economy so far as I know. — Sincerely,

RUTHERFORD B. HAYES.

HON. THOMAS DONALDSON.

[1] After two years, February 29, 1879, Mr. Hayes wrote in his diary: "The exclusion of wine from the list of refreshments has turned out exceedingly well. There is a good deal of dissipation here. At the receptions of the British Minister, and at that of the Mexican Minister, disgraceful things were done by young men made reckless by too much wine. Hence the necessity for our course is obvious and is commended in unexpected quarters. Many of the foreign gentlemen speak of it with approval. We shall stick to it."

[2] The portrait was encased in a heavy oaken frame designed and richly carved

The gift was accepted by President Garfield a few days after his inauguration and remains in the White House as one of its most conspicuous ornaments. Mrs. Hayes is represented standing, in a gown of ruby-colored velvet, relieved with lace about the neck and sleeves, and holding in her right hand three cream-white roses. Both pose and likeness are most admirable and give every beholder a vivid impression alike of the strength and the sweetness of the character portrayed. More than this, an address of commendation, bearing the autograph signatures of hundreds of men and women, — among them those of the most eminent and influential personages of the country, — preserved in several great morocco-bound volumes, was, after the return to Fremont, presented by ladies of Illinois with appropriate ceremony to Mrs. Hayes.[1]

by the Cincinnati School of Design. In Mr. Arthur's Administration a gilt frame was substituted for the oak frame as being more suitable. Thereupon, through Mr. Hayes's good offices, the original frame was returned to its Cincinnati givers.

[1] Each autograph is on a separate sheet of vellum. The first volume has at the beginning a long autograph poem addressed to Mrs. Hayes by Benjamin F. Taylor. The first autograph is that of Mrs. James K. Polk. Then follow the signatures of the leading public officials throughout the Union. The second volume is devoted to the army and navy; the fourth and fifth, to the clergy, the bar, the press, and artisans and tradesmen; the sixth, to church and temperance workers. Many of the signers in all these volumes wrote words of greeting or praise. The chief interest, however, centres in the third volume, where are expressed the sentiments of the poets, authors, artists, musicians, inventors, and educators. Here, in upright hand, is the name of Henry W. Longfellow, with the lines: —

"Whene'er a noble deed is wrought,
Whene'er is spoken a noble thought,
Our hearts in glad surprise
To higher levels rise."

On the following leaf John Greenleaf Whittier wrote: —

"Her presence lends its warmth and health
To all who come before it;
If woman lost us Eden, such
As she alone restore it."

Turning the page, we have this from Oliver Wendell Holmes: —

"Look in our eyes, your welcome waits you there,
North, South, East, West, from all and everywhere."

And on the reverse of the sheet he wrote: —

"Lord of the universe, shield us and guide us,
Trusting Thee always through shadow and sun!
Thou hast united us, who shall divide us?
Keep us, oh, keep us, the Many in One."

Elizabeth Stuart Phelps sent her greeting to one "Who has the dignity, courage, and fidelity of her convictions."

The pupils of the Cincinnati School of Design, near the end of Mr. Hayes's term, desired to give Mrs. Hayes a handsome oak sideboard the elaborate carving of which was their handiwork. The President was opposed to the acceptance of any gifts of value, whereupon the then Commissioner of Public Buildings and Grounds decided on its purchase for the White House. No funds were available therefor until after the beginning of the next fiscal year; so that Mr. Arthur was already President before the transaction was completed. The sideboard, which was always known as the "Hayes Sideboard," was a conspicuous ornament of the private dining-room through several administrations. On the renovation of the White House some years ago,

Mrs. A. D. T. Whitney to "The woman who standing 'in the midst,' in the Chief Home, stood bravely, for the sake of every home in the land."

Other sentiments are these: —

"A good deed outlasts official position." (Charles Dudley Warner.)

"To perform one's function with fidelity and simplicity is to be both hero and saint." (Edward Eggleston.)

"The fragrance of her goodness will linger forever about the Executive Mansion." (Frederick Douglass.)

"That woman's hand that puts away the cup
Is fair as Joan's with the sword lift up."

(G. W. Cable.)

"Woman only can make wine-drinking unfashionable, and heal the Nation of its curse." (J. G. Holland.)

"Laurels in life's first summer glow
Rarely grow;
But honors thicken on heads of snow."

(J. T. Trowbridge.)

"The White House at Washington, whiter and purer because Mrs. Hayes has been its mistress." (Thomas W. Higginson.)

"Hand in hand with angels;
Blessed so to be!
Helped are all the helpless;
Giving light, they see!"

(Lucy Larcom.)

"When high moral worth and courage combine with gentleness, matronly dignity, graciousness, genial wit, and sweetest charity, the charm is complete." (Daniel Huntington, who at the time was painting the White House portrait of Mrs. Hayes.)

Of all the autographs, none pleased Mrs. Hayes more than that of George F. Root, the famous composer. Under a sketch of a woman with bowed head, sitting near a harp, he had copied a bar of music and its accompanying words, —

"Yes, we 'll rally round the flag, boys! " —

thus expressing better than any one else that intense patriotism which was one of the deepest emotions of Mrs. Hayes's heart.

it was discarded and found its way with other cast-off White House furniture to a second-hand dealer,[1] when it was purchased by a private citizen and put to ignominious use.

Of the unusual social events that took place in the White House during this period, the most notable was the celebration of the silver wedding of the President and Mrs. Hayes, the first celebration of the sort in the annals of the Executive Mansion. The actual date of the anniversary was December 30, but as this date in 1877 fell on Sunday, the reception was postponed to the evening of December 31. It had been the original purpose to have present for the occasion only the members of the family and such of the guests at the wedding twenty-five years before as could come to Washington. The list was enlarged, however, to include the members of the Cabinet and their wives, Chief Justice and Mrs. Waite, Justice and Mrs. Swayne, and any Kenyon College friends, Cincinnati lawyers of the President's time of practice in that city, members of the Cincinnati Literary Club, and comrades of the Twenty-third Ohio Regiment, that might be in the Capital. Even so, the number invited did not exceed one hundred. The invitations were written on note paper by one of the clerks. Then the President himself added the words, "I hope you will come," and addressed them in his own hand.

From Ohio came Mrs. Mitchell, of Columbus, — the President's niece who, as a little girl, had held Mrs. Hayes's hand during the wedding service in 1852, — with her daughter and her brother, Rutherford H. Platt; the Reverend Dr. L. D. McCabe, professor in the University at Delaware, who had officiated at the wedding; Dr. and Mrs. John Davis, General and Mrs. M. F. Force, Mr. and Mrs. John W. Herron, and Colonel L. C. Weir, of Cincinnati, all of whom, except Mrs. Force and Colonel Weir, had been present at the wedding. These were all entertained at the White House during their stay of some days in Washington. On Sunday afternoon in the Blue Parlor, in the presence of the family and these special guests, the wedding

[1] Such disposition of old White House furniture, while without warrant of law, was long the rule and was hardly creditable to the country. One would suppose that it might rather be distributed among the museums of the country; at least any pieces that possessed artistic or historic value, or to which any sentimental interest attached.

ceremony of twenty-five years before was repeated by Dr. McCabe and the vows were renewed, Mrs. Hayes wearing the same gown of white flowered satin in which she had first plighted her troth,[1] and Mrs. Mitchell standing at her side, as she did, a little girl, that far-away afternoon in 1852. This impressive service was followed with the baptism and christening of the two young children of the White House, Fanny and Scott Russell Hayes; and likewise of the infant daughter of Mr. and Mrs. Herron, who, with Mr. and Mrs. Hayes standing as sponsors, received the name Lucy Hayes Herron. At this service all the attendants and servants of the White House were asked to be present.

Earlier in the afternoon the guests had gathered with the family in Mrs. Hayes's apartment, when General Force read aloud the many letters, dispatches, and poems of felicitation that had been received. The President had been careful to let it be known that presents were not expected or desired. But members of the family and the intimate friends and associates would not allow the occasion to pass without some token of their regard; and so many articles of silver — none of great intrinsic value — were given to Mrs. Hayes. The gift that touched her most deeply of all, because of the sentiment and affection that inspired it, was a burnished silver plaque, embedded in velvet and encased in a frame of ebony picked out with white enamel. The upper part of the plaque was engraved with the colors of the regiment; the lower part with a representation of the double log cabin occupied by Colonel and Mrs. Hayes and their two elder sons in the winter of 1863, at Camp Reynolds, Kanawha Falls, West Virginia. In the mid-space were incised in minute script these verses, written by Sergeant-Major William E. Sweet: —

[1] "Mrs. Hayes surprised the friends who were visiting her by appearing in her original wedding dress — a dress quaint enough, yet not altogether unbecoming, but a great contrast in its absence of train and excessive fulness to the close-fitting princesse of to-day. It was of figured white satin, with large plaits joining the plain and very full skirt to the waist. The very donning of the robe seemed to destroy the intervening years, and Mrs. Hayes was as merry as a girl in what had once been a very elegant costume. Her hair was arranged as usual, in its peculiar plain style — a style which strikes one at a distance as ungraceful and unbecoming, but on nearer view the lovely Evangeline eyes and sweet face overpower all thought of the hair. A few natural flowers were the only ornaments she wore." (Washington correspondence in Buffalo *Commercial Advertiser*, January 5, 1878.)

To the Mother of Ours

From the 23d O.V.I.

To thee, our "mother," on thy silver "troth,"
We bring this token of our love. Thy "boys"
Give greeting unto thee with brimming hearts.
Take it, for it is made of beaten coin,
Drawn from the hoarded treasures of thy speech:
Kind words and gentle, when a gentle word
Was worth the surgery of an hundred schools,
To heal sick thought and make our bruises whole.
Take it, our "mother," 't is but some small part
Of thy rare bounty we give back to thee;
And while love speaks in silver from our hearts,
We'll bribe old Father Time to spare his gift.

At six o'clock all the guests and all the members of the family sat down to a wedding feast in the family dining-room. There were twenty-three at table. The evening, which as usual brought many callers, had, like other Sunday evenings, its hour of singing and then came to its close in happy reminiscence of the long-past Cincinnati days. The silver wedding reception on Monday evening is described by the newspaper correspondents of the day as one of the most interesting and enjoyable entertainments of which the White House had ever been the scene. The house was as brightly illuminated as was possible in the days when gas was the perfection of lighting, and for the first time the conservatory was ablaze with gas-jets and open to the guests. All the rooms were lavishly but tastefully adorned with plants and flowers and trailing vines. The Marine Band was present throughout the evening, filling the spacious rooms at intervals with joyous music. The guests began to arrive at nine o'clock, when, to the strains of Mendelssohn's Wedding March, Mr. and Mrs. Hayes descended the stairs, followed by the house guests, two and two, and proceeded to the great East Room, where they stationed themselves in front of the east windows and there received the congratulations and good wishes of their friends. Mr. Hayes was in conventional evening dress, with a rose in the lapel of his coat. Mrs. Hayes wore a handsome gown of white silk, with draperies of white brocade, the heart-shaped neck filled after her customary manner with filmy tulle, and the half-sleeves ending with lace. Her only ornament was a silver comb fastening

back her heavy bands of glossy black hair, and some delicate white flowers on the left side of her head.

All the guests knew one another so well that nothing formal or ceremonious marked the evening. Every one entered heartily into the spirit of the occasion, moving about the rooms from group to group to greet acquaintances and share in the vivacious conversation. At ten o'clock the wedding march again was heard, and at the signal all the guests followed the President and Mrs. Hayes to the state dining-room where a wonderful collation was served. The bells of the city were ringing in the New Year before the last guests, who tarried to blend New Year's greetings with their words of farewell, had taken their departure. No other social experience in all their official life was quite so full of joy and satisfaction to Mr. and Mrs. Hayes as this silver wedding celebration. Old friendships had been deepened in their tenderness and new friendships had been made closer by the opportunities it had afforded for spontaneous expressions of personal interest and regard.[1] The brilliant New Year's reception the next day, with all the decorations of the rooms remaining as they were, when all official Washington thronged to the White House to pay respect, and the parlors were bright with the splendid costumes of diplomats and the uniforms of military and naval officers of high degree, seemed almost a continuation of the silver wedding celebration. For mingled with the conventional greetings of the season to the President and Mrs. Hayes were expressions of personal felicitation and good wishes in recognition of the happy anniversary that had just been commemorated.

June 19, 1878, the White House was the scene of a most beautiful and interesting wedding service — the eighth ceremony of the sort in the historic mansion. The bride was Miss Emily

[1] A few days after the silver wedding (January 12) Mr. Hayes, recording the sudden death of his old friend, R. C. Anderson, of Dayton, who to his great regret had been unable to come to Washington, writes, in his diary: "And so one of my dearest friends is gone. A friend of thirty years' standing; a man of such warm affections, so unselfish, honorable, and true, that his friendship was to be counted as one of the greatest blessings. His home in Dayton was my home. . . . At the time of our silver wedding it was mentioned as remarkable that the friends with whom I was most intimate when I married in 1852 were all still my most intimate friends — all living, namely, Richard C. Anderson, Manning F. Force, John W. Herron, George W. Jones, William K. Rogers, R. H. Stevenson."

Platt, the youngest daughter of Mr. Hayes's beloved sister Fanny. She was an attractive and accomplished young woman, who had been Mrs. Hayes's constant companion and most efficient assistant in all White House activities. The bridegroom was General Russell Hastings, since the beginning of the Civil War a trusted friend of Mr. Hayes. He served throughout the war in Mr. Hayes's regiment, of which he rose by meritorious service to be lieutenant-colonel, and for gallantry in action he had received the rank of brevet brigadier-general. During the last year of the war, in the Shenandoah Valley, he was General Hayes's adjutant-general. At the battle of Opequon he was severely wounded and lay for weary weeks in the hospital at Winchester, hovering between life and death. No officer in the volunteer service had a fairer reputation for dashing courage and reckless daring. Since the war he had been in the Ohio Legislature and for many years had served as United States Marshal for the Northern District of Ohio. At this time he was a banker at Rockford, Illinois. In spite of his lameness from his honorable wound, he was a man of splendid vigor and striking personality.

The wedding was celebrated in the Blue Parlor, the most beautiful of all the White House rooms. This had been transformed into a realm of faëry with profuse floral decoration. In front of the three windows stretched high a bar of bright-colored blossoms, from each end of which hung wreaths of white flowers enclosing medallions bearing the initials of bride and bridegroom. From its centre was suspended a huge wedding bell composed, as one correspondent of the day takes pains to tell us, of fifteen thousand white roses. The twilight still lingered at seven o'clock that June day, but the curtains were drawn and the chandeliers were ablaze, when to the melodious chords of the Mendelssohn Wedding March, softly played by the Marine Band, the wedding procession entered the room. Mr. Hayes led with Mrs. Mitchell, then came Mrs. Hayes with the bridegroom, followed by the bride with her father. The plighted pair stood under the bell of roses while Bishop Jagger, of the Southern Ohio Episcopal Diocese, in canonical robes, read the impressive marriage service of the English Church. The guests of the occasion were only immediate relatives, intimate friends, and

persons of the Cabinet circle. It had been the expressed wish of Mrs. Hayes that the correspondents should refrain from describing the bride's trousseau and the toilets of the other ladies present, or from making mention of the wedding gifts. But that was asking too much of those who purvey information to meet the taste and curiosity of newspaper readers. And so we know that the bridal gown was of "rich white brocade satin, made in princesse style *en train*"; that "the plain skirt was finished at the bottom with a flounce nearly a quarter of a yard in width, laid in flat plaits and finished by an exquisite wreath of orange blossoms with waxen buds and shining leaves"; and that "the bridal veil of illusion reached to the bottom of the train, with a short veil over the face, and a coronet of orange buds and leaves falling gracefully over the bride's shoulders." We know, too, that Mrs. Hayes wore a most becoming gown of "heavy cream-colored grosgrain, combined with brocaded velvet grenadine of the same shade, garnished with magnificent chenille ball fringe and lace, braided with pearls; cut princesse *en train*, with square corsage, filled in with tulle, and elbow sleeves." And some way we are glad to have these intimate details of this gracious family event in the official mansion of the nation's Chief Executive.

One other social event at the White House during Mr. Hayes's term is worthy of special record. This was the entertainment of former members of the famous Cincinnati Literary Club who were at that time residents of Washington. Mr. Hayes, it will be recalled, was active in the club during the years he lived in Cincinnati and made among its members many enduring friendships. It was customary for the club to celebrate each year the anniversary of its formation. In harmony with this custom the President invited the Washington club members to a dinner and reunion at the White House on the evening of Tuesday, October 29, 1878, the twenty-ninth anniversary of the club's existence. Besides the President there were present Judges Warden and James, General R. D. Mussey, Henry Reed, W. K. Rogers, Professor Cleveland Abbe, General T. C. H. Smith, William Guilford, W. W. Warden, A. R. Spofford, Sam. P. Butler, Henry C. Borden, John E. Hatch, and Aaron R. Dutton. At the table there were also Mrs. Hayes, Mrs. Rogers, General and Mrs. Hastings, and Webb C. Hayes. After the dinner, served in the

family dining-room, which was attended with a constant flow of reminiscences and anecdotes relating to the club's history and its members, the ladies withdrew, and Mr. Spofford was made chairman of the more formal reunion. But the proceedings were hardly more than formal in name. The men were together for an evening of enjoyment, and the fact that they were gathered in the White House could not dampen the old-time spirit of good fellowship. For the time being Mr. Hayes was not President, but simply a fellow club member who had made them his guests. Papers or verses were read by General Mussey, Judge James, Mr. Guilford, and Mr. Rogers; and greetings were sent to the home club. Altogether it was a most enjoyable evening, abounding in good talk; and yet, for all its wit and humor and revival of pleasant memories, touched with the pathos of the days that are no more.

Each summer, as the heated term came on, Mr. Hayes withdrew his family from the White House and established it in the cottage on the grounds of the National Soldiers' Home, in the outskirts of the city. Strange as it may seem now, President Grant had been subjected to much captious criticism by the public, and even by Congress, for making his summer abode at Long Branch, away from the miasmatic summer climate of the Capital. He had been the first President to make his temporary abode away from Washington, and the country was inclined — quite unreasonably, as every one now believes — to question the propriety of his action. Mr. Hayes thought it wiser to follow the older precedents and have no home while he was President outside of Washington. There is no more beautiful place in or about the Capital than the high and rolling grounds of the Soldiers' Home, with its noble forests and spacious lawns, and its miles of winding carriage-ways, each turn in which surprises one with a new vista of woodland loveliness or a glimpse of the city, stilled by the distance, and of the Virginia hills dreaming beyond the Potomac. The country house, standing on the grounds when they were purchased for the Home in the middle of the century, had always been set apart for the use of the President. Mr. Buchanan had occupied it, and President Lincoln spent his summers there; but neither Mr. Johnson nor General Grant had cared to live in it. The house was roomy and

comfortable, and with its attractive surroundings and higher elevation, Mr. Hayes and his family found it far pleasanter than the White House for summer residence; but even there they were more or less affected by the depressing summer climate of the Potomac Valley. They were glad to get away to cooler regions in visits to friends or on the semi-official trips among the people of various parts of the country which have already been recorded.

Mrs. Hayes never lost her zest for the stir and movement and distinction of life in the White House. It always had perennial interest for her. And yet as the time drew near when "all the pomp of power" was to be laid aside, both she and Mr. Hayes began to look forward eagerly to the quiet and repose of private life. There were moments, indeed, earlier in the term when both of them were weary of the burdens of their position and felt that it would be a relief to escape from its fierce light. During the strenuous days of the prolonged special session of Congress in 1879 we have, on June 6, this entry in the diary: —

> Lucy and I have had a few minutes' talk on this laborious, anxious, slavish life. It has many attractions and enjoyments, but she agrees so heartily with me as I say, "Well, I am heartily tired of this life of bondage, responsibility, and toil"; "I wish it was at an end"; "I rejoice that it is to last only a little more than a year and a half longer."
>
> We are both physically very healthy, unusually capable of bearing the fatigues incident to the place. We can travel longer night and day without losing our spirits than almost any persons we ever meet. Our tempers are cheerful. We are social and popular. But it is one of our greatest comforts that the pledge not to take a second term relieves us from considering it. That was a lucky thing. It is a reform — or rather a precedent for a reform, which will be valuable.

Confronting the last two busy months of his Administration, to be filled with many and great official cares, Mr. Hayes wrote: "We begin to long for home and freedom more and more as the time draws nearer." "I am soon," he adds, with evident joy at the prospect, "to become a private citizen — to be entitled to the privileges and immunities of that honorable and enviable position; to have a right to manage my own private affairs without intrusion. If not one of the wealthy citizens of our State, I trust I shall always be ready to offer to friends that best part of hospitality, — a hearty welcome to my home; and to those

who need it, that best part of charity, — aid cheerfully given according to my means."

And a few days later (January 16) he recurs to the subject in this language: —

> The *Graphic* said a few days ago: "Take him for all in all, Hayes will step out of office on the 4th of March next with more peace and blessing than any President in fifty-six years. Who since Monroe has gone out both *willingly* and regretted?"
>
> That the White House will be left "willingly" by both Mrs. Hayes and myself is perfectly true. Indeed, "gladly" might truthfully be substituted for "willingly." We have upon the whole enjoyed our four years here. But the responsibility, the embarrassments, the heart-breaking sufferings which we can't relieve, the ever-present danger of scandals and crimes among those we are compelled to trust, and a thousand other drawbacks to our satisfaction and enjoyment, by which we are constantly surrounded, leave us no place for regret upon retiring from this conspicuous scene to the freedom, independence, and safety of our obscure and happy home in the pleasant grove at Fremont.

The social life of the White House, however, these last few weeks moved on as pleasantly and brilliantly as during the preceding seasons. The house was full of agreeable guests, and the host of warm personal friends made in the years that had slipped so rapidly away were more assiduous in their attentions than ever, now that the time of departure was so near.[1] Besides the customary dinners and receptions, there was a dinner of unusual splendor for General and Mrs. Grant in December; a dinner for the trustees of the Peabody Education Fund in February; and a great banquet for the Garfields on the eve of inauguration day.[2] And during this last winter, in defiance of ancient precedent,

[1] There was great satisfaction, too, at this time for Mr. Hayes in knowing how men's opinions had changed in respect to him. In his diary, January 23, he writes: "Coming in, I was denounced as a fraud by all the extreme men of the opposing party, and as an ingrate and a traitor by the same class of men in my own party. Going out, I have the good will, blessings, and approval of the best people of all parties and sections. The thing that seems to me unaccountable is that with more than usual distrust of my own powers, I had a strong and comforting faith that I should be able to organize and conduct an Administration which would satisfy and win the country. This faith never deserted me. I had it before either the election or the nomination. Doubtless it was founded on my experience. I have often said that I never fail to gain the confidence and friendship of those I wish to win if I have time and an opportunity to do so."

[2] In January, too, Mrs. Hayes gave a brilliant luncheon for more than fifty young ladies, daughters of prominent citizens.

MRS. LUCY WEBB HAYES

From Portrait by Daniel Huntington. Presented to the White House by the Women's Christian Temperance Union. Accepted by President Garfield, 1881

the President and Mrs. Hayes more than once accepted invitations for dinner at the houses of their friends.[1]

The last subjects of large significance with which Mr. Hayes had to deal were, besides the making of several appointments to important positions in the public service,[2] the disposition of the

[1] "We have dined out a number of times this winter. We thought we might depart from custom our last winter. Last night we dined with Mr. George Bancroft, the historian. The company at table was not large, but it was notable. Mr. Bancroft, lively, full of conversation and vigor at eighty-two or more, is noticeable always. He said, 'In 1821 I met Mrs. Jerome Bonaparte née Patterson, then a very beautiful and attractive woman, in Rome.' 'Seaton told me a conversation he had with Calhoun. Calhoun was a candidate for President when he was a comparatively young man. "I," said Seaton, "told him he was too young, that after his two terms he would still be young, and he would find it hard to be laid on the shelf so young." Calhoun replied, "I would go home and write my memoirs." So characteristic!' said Bancroft. He said when Clay was an old man and expecting soon to die, he expressed a wish to be reconciled to Calhoun. A meeting at Clay's chamber was arranged. Clay met Calhoun with the friendliest courtesy. Calhoun was stiff — he could n't say what ought to be said, or do what ought to be done. Clay was all the opposite.

"After Mr. Bancroft, the other notable persons present were Mr. and Mrs. Evarts, Senator and Mrs. Hoar, Sir Edward Thornton, Senator Allison, Colonel Bonaparte, the grandson of Prince Jerome, Mrs. Bonaparte, the granddaughter of Daniel Webster, Mrs. Bancroft Davis, daughter of Senator ('Honest John') Davis, of Massachusetts, and granddaughter of Rufus King, Henry Adams, grandson of John Quincy Adams, and his wife, niece of Mr. Hooper, ex-Secretary of the Navy Robeson and wife, Mr. Thayer, of Worcester, Massachusetts, and his wife (a Livingston), Mrs. Hayes, and myself. More 'family' than we have met. Very agreeable and intelligent people.

"Mrs. Bonaparte said her grandfather, Daniel Webster, the night before his great speech in the debate with Hayne, went to bed at 8 P.M. and slept soundly four hours. He then rose and began his preparation [of] the great reply. The whole subject poured at once through his brain. Only one day for that speech! Mrs. Bonaparte said her grandmother, on her deathbed at ninety-five or ninety-six, said to Colonel Jerome, 'The end of Royalty will soon come — there will be no more kings or dynasties; the world is now to be republican.'

"Mr. Adams said: 'Our system of government has failed utterly in many respects. The House is not what it was intended to be, a deliberative body. The majority can't control its action. Nothing less than two thirds can control it. Our army is, or it ought to be, a mere police. It ought to be called a police. Our navy is nothing. In all ages the difficulty has been how to decide who shall be subs. It is the same here. No means has yet been discovered of doing it peacefully. We have not got it. Our reliance is on the people being so as to need no government. When that is the case we are safe." (Diary, February 11, 1881.)

[2] Among these appointments was that of Stanley Matthews to the Supreme Court. This was received by a large part of the press with a storm of disapproval and censure, because Mr. Matthews had been a corporation attorney. The Senate refused for some weeks to confirm the appointment; but finally after Mr. Garfield became President did confirm it by a bare majority. Mr. Matthews proved

unfortunate Ponca Indian difficulty, and the veto of the Refunding Bill, threatening disaster to the national banking system, which have already been discussed in preceding chapters. The veto message was sent to Congress only twenty-four hours before Mr. Hayes was to surrender the reins of Government to his successor. The acclaim of gratitude with which it was welcomed by the conservative public opinion of the country went far to swell the chorus of commendation which signalized the close of the Administration. Innumerable expressions of approbation came directly to Mr. Hayes either by word of mouth [1] or in letters from all sorts and conditions of men; and a decided majority of the reputable newspapers of the land printed discriminating editorial reviews of the President's merits and achievements in which approval and praise were the dominant notes.

on the bench that Mr. Hayes's judgment of his character and fitness was altogether sound. He was a wise and upright jurist and lived to hear his detractors sound his praise.

[1] "My closing days are full of satisfactions. I have shaken hands with five hundred to-day. Many clergymen congratulate me. The burden of the talk on all sides is a clean, honest, independent, and successful Administration. Mr. Stephens, of Georgia, says he never saw an Administration go out so well spoken of. Senators, Representatives, and citizens say the same." (Diary, March 2, 1881.)

CHAPTER XXXIX

THE RETURN TO SPIEGEL GROVE

WITH the end of his term as President Mr. Hayes's career in public office came to a close. But throughout the remainder of his life his interest in public affairs was unrelaxed, and he was constantly engaged in the promotion of educational and philanthropic movements. Immediately after the inauguration of Mr. Garfield, Mr. Hayes with his family returned to his home in Fremont, and there through the years that followed lived in pleasant and dignified retirement. While the amount of his property was constantly exaggerated [1] by persistent detractors and ignorant or malicious paragraphers of the press, and while much of it consisted of unproductive real estate, it was still ample enough to enable him to live in ease and comfort, and to make it possible for him to give liberal aid to persons and causes that excited his sympathy or appealed to his judgment.[2] He engaged in no business or professional pursuits. But his days were full to overflowing with reading and historical studies, with correspondence which always continued burdensomely extensive, with participation in local community concerns, with the care and improvement of his estate, and with the multifarious public interests to which he devoted much time and solicitude. Moreover, the gentle offices of hospitality were constantly exercised. The house was a centre of the social life of the community, and it was never long without guests — relatives or friends — who not infrequently stayed for days or weeks at a time.

For this life of busy and thoughtful leisure his place of abode and his immediate surroundings afforded an admirable setting. Fremont is a substantial county town of some ten thousand population, with many thriving industries, and surrounded by

[1] This exaggeration was a source of much annoyance to Mr. Hayes as it resulted in bringing him innumerable begging letters.

[2] Indeed, he was liberal far beyond his means in responding to requests for assistance.

farm lands of surpassing fertility. It lies on both sides of the Sandusky River, which flows in picturesque curves toward the north to mingle its waters with those of Lake Erie, distant fifteen miles as the crow flies, though the leisurely river nearly quadruples that distance. Here, before the white men came, had stood a neutral trading village to which tribesmen resorted from far and near to engage in their rude commerce. Here was the westernmost point reached by the Colonial forces under Colonel Bradstreet — doughty Israel Putnam commanding the Connecticut battalion — dispatched by General Gage in 1764 to war against the famous Pontiac. Here the gallant young Kentuckian, Major George Croghan, in August, 1813, with a handful of men had successfully defended Fort Stephenson against the assault of an overwhelming number of British regulars and Tecumseh's red warriors, winning a victory which stirred the people of that day as much as Dewey's feat at Manila thrilled those of our generation. And through the town William Henry Harrison had marched his troops on his way to embark them on Perry's ships for Canada, there to win success and glory at the battle of the Thames. The town long bore the name of Lower Sandusky, but because this name was so numerously employed it was given up in the mid-century and the name of the great Pathfinder, then at the height of his popularity, was assumed. The town is readily accessible by means of one of the great east and west trunk railways and is within easy distance of Toledo and Cleveland. It has an air of well-to-do comfort and prosperity, and is noteworthy for the number of attractive homes with well-kept lawns and gardens, and everywhere abundant shade and fruit trees. The houses and cottages of artisans and those in the humbler walks of life are almost invariably trim and neat, their front yards beautified with flowers and kitchen gardens in the rear. In no quarter of the town does shiftlessness or poverty seem to abide. It is the home of many cultured and refined people, largely of New England extraction, who have pride in their schools and churches, who know good music and read good books, and who are interested in all the better things of life. A kindly, gentle, hospitable folk, indeed, whose lines are fallen unto them in pleasant places, and who, whatever their interests or activities, still have time to be happy.

THE HOUSE AT SPIEGEL GROVE

From a photograph taken in 1889. The house remains unchanged in external appearance

At the western edge of the town, a mile from the business centre, one comes to Spiegel Grove.[1] It covers an area of twenty-five acres, triangular in shape. On each side runs a public highway, the road on the longest side, Buckland Avenue, bearing away to the southwest, and falling so steeply that most of it is hidden from view. The surface of the land is for the greater part level, but the southwestern angle drops by an abrupt declivity to a level some thirty feet below the larger tract; and the waters of a spring long ago ploughed out a miniature ravine, where now two tiny lakes have been made within retaining walls. The grove is of primeval forest trees, among which, however, have been planted evergreens, historic trees, like the Charter Oak and the Napoleon willow (from Mount Vernon), and some species not native to Ohio. There are majestic oaks that have weathered the storms of centuries, tall hickories, towering elms, lofty maples, black-walnuts, and many other varieties. In the spring the pink blossoms of the wild crab scent the air and the

[1] The name was given it by Mr. Birchard. Miss Lucy Elliot Keeler, of Fremont, in a pamphlet entitled "Spiegel Grove," says: "Mr. Birchard, on his way to and from the village daily, passed his new purchase, noted the deep woods, its pools of standing water reflecting like mirrors (the German word for which is *Spiegel*) the great trees and tangled boughs and swaying vines, listened to the song of birds, the hooting of owls and the mourning of the doves, crooned over the legends of the place, smiled over its traditional ghosts and spooks, recognized many a likeness to the scenes of the German fairy tales dear to his childhood; named it Spiegel Grove." — Mr. Hayes, in a letter to a friend dated "Spiegel Grove, 30 August, 1889," wrote: "Perhaps you will ask, 'And why called Spiegel, the German word for mirror?' My uncle perhaps did not carefully consider when he named it. But without philological discussion it runs thus: Spiegel — mirror — hence, image; hence ghost or spirit. *Evil* spirits are bogies. Spiegel is a *good* spirit. Spiegel Grove, therefore, is *the home of good spirits*, referring either to our friends departed who have gone to the better world and who hover around us here, or to the fact that it is the home of cheerfulness and happiness. Three grown persons who have lived here have gone before. All of them were most attractive in character and manners. One child of ours, — aged eighteen months, — a little boy of unusual beauty and goodness, died here. May we not, therefore, now hope that good spirits are around us?" Mr. Hayes added to his record of this letter: "Uncle was a humorist and added another reason for the name signifying 'good spirits': 'I always keep for those who can safely use it the best of spirits to warm the inner man.'" — At one time Mr. Hayes had thought of giving up this name. Thus in his diary, October 6, 1879, when on a visit to his home, he writes: "Our place we shall call Birchard Grove after its former owner, Uncle Sardis Birchard. His name, 'Spiegel Grove,' fanciful, eccentric, does not stick. We never used it." — But the "fanciful" name was too well established and did stick; and Mr. Hayes came to like it.

dogwood gleams white among the soft greens of the new foliage. Along the steep bank by the hidden highway great masses of wild roses grow luxuriant, and in their season of flowering are worth a long journey to behold. Many of the great trees have been named for illustrious men who have visited the grove, or to commemorate some historic event. To the east and south of the house are wide stretches of lawn edged with clumps of flowering plants or bushes. At each angle of the grove is an ornamental gateway built of broken boulders of variegated hues. Two of the gateways are adorned with great cannon that once saw service in our country's wars. There is an entrance also midway of the northern side. Through the grove from each gateway wind gravelled carriage-roads. The one from the main entrance, bearing to the southwest, follows the old French and Indian trail which ran from Lake Erie up the Sandusky Valley and on down the Scioto to the Ohio. It was the route by which Harrison marched to the north, and after his day it was called the "Harrison Trail." In one place in the grove for some distance a remnant of the actual trail is preserved, the depression in the earth caused by the trampling of countless moccasined feet being distinctly discerned. Close to this drive, on the very brink of the declivity, stands the ancient "Grandfather's Oak," under which one cold night in the War of 1812, Mrs. Hayes's father bivouacked. Near the ground its bole still bears the scar made by his camp-fire. A narrow drive, running across the park from one main drive to the other, is completely shut in on both sides with dense, low-hanging evergreens. This is known as "Lovers' Lane," and any moonlight night in summer is sure to be "the haunt of happy lovers" from the town. All through the summer the grove resounds with the notes of numberless birds, — cardinals, robins, song sparrows, doves, and orioles, — and hardly can you glance upwards at a tree without catching sight of a squirrel whisking along some branch or bickering with his mate. Many points in the grove command a wide and fair prospect over field and farm to the south and east, Evergreen Hill rising high in the middle distance with its masses of perennial verdure. Persons who have travelled in England are constantly reminded by Spiegel Grove of some country park in the midland counties.

The house stands near the centre of the grove. It is of red

brick, with gray stone window sills and caps. As originally built in 1860 it was an unpretentious though commodious structure, having a verandah on three sides. In the months preceding the return of the family from Washington, the house was nearly doubled in size and many improvements were made in the interior arrangement. Some years later the back part of the house was enlarged and reconstructed. The house in its completed form, while making no pretensions to architectural excellence, is impressive by reason of its amplitude, its high ceilings, and its atmosphere of hospitable comfort. Along the entire eastern front and a part of the southern side extends a wide piazza. The length in front is eighty feet, and here, when the weather was inclement, it was Mr. Hayes's custom to take his constitutional, thirty-three round courses making a mile. And here on pleasant summer afternoons and evenings was the family gathering place, the great oaks giving grateful shade, and the thick screen of Dutchman's-pipe on the southern exposure shutting out the rays of the westering sun. The front door opens into a wide hall, wainscotted with white walnut, leading back to the stairway, at the left, and on to the spacious dining-room. From the foot of the stairway one looks up four stories to the square balconied cupola, which crowns the centre of the roof, and from whose high windows the hallways receive most of their light. The dining-room has wainscotting of soft red cherry in panels and a polished oaken floor. At the north end a great fireplace occupies the space between the windows, with broad mantel and cabinet above. The other end is recessed and filled with three windows through which the sunlight floods the room. For furniture there are ancestral mahogany sideboards, and serving-tables[1] that graced the White House in Madison's time, all worthy of note not only because of their historic interest, but also for their beauty of form and workmanship.

To the right of the hall, as you come in, you pass through a wide entrance, which can be closed with sliding doors, into the drawing-room. It is nearly forty feet in length and of

[1] These tables were, of course, obtained by purchase after they had been discarded by the White House. There are other pieces of furniture at Spiegel Grove, formerly in the White House, notably a desk which was in the Cabinet room from Lincoln's time, which were similarly purchased a few years ago.

proportionate width, with windows reaching nearly to the floor. Low bookcases fill most of the wall-space, containing the English and American classics. The furniture consists of old mahogany pieces, and about the room are many objects of historic interest. Back of the drawing-room, and connected with it by a wide opening, is the long and narrow library, crowded to the ceiling with thousands of volumes, devoted mostly to American history, exploration, genealogy, and biography. Among them are many books of great rarity and value.

On the other side of the hall is the Red Parlor, so called from the color of its furnishing, and back of that, with entrance from the hall, the room always occupied by Mr. and Mrs. Hayes. Here the furniture is old mahogany; the most striking pieces being the four-poster bed and a dressing-table of unusual design. The room has been kept always in the same state as when occupied by the President. Adjoining is a dressing-room, which has a door opening on the outside world. Mr. Hayes used it for his private study, and in its quiet and seclusion, with door open to the sun in summer, he did most of his writing of letters and addresses.

The many chambers of the second floor have most of them old furniture from many lands — much of it placed there since the President's time. But some rooms remain the same, notably one filled with ancestral furniture of Revolutionary times. On the third floor, lighted with dormer windows, is the overflow library; case after case filled with books of general literature, law treatises, official reports, magazine and newspaper files, and numberless pamphlets that recall political controversies and public disputes which long ago ceased to trouble men's minds. Here, too, in file-cases, dispatch-boxes, and various improvised receptacles, are stored the letters and manuscripts accumulated during Mr. Hayes's lifetime. The mass of papers is quite incredible even to one who has delved for years among them. The letters alone are to be counted by thousands and thousands. Mr. Hayes was always reluctant apparently to destroy any message that came to him in writing, or any piece of manuscript, however insignificant it might seem to be. Scattered about the house in every part is an endless variety of curious and interesting objects, — ancient muskets, relics of the Civil War,

battle-flags, pictures, trophies of the chase, souvenirs and memorials of the life in the White House and of the Presidential excursions, Indian implements, and curiosities from many lands. One room on the second floor is so full of souvenirs and curios that the family dubbed it the "Smithsonian." [1]

It is no wonder, perhaps, that Mr. and Mrs. Hayes were glad to leave the glitter and pomp of the White House for the quiet and comfort of Spiegel Grove. They were welcomed home by the townspeople with enthusiastic acclaim. In acknowledging the words of welcome Mr. Hayes said: —

This hearty welcome to my home is, I assure you, very gratifying. During the last five or six years I have been absent in the public service. . . . My family and I have none but the friendliest words and sentiments for the cities of our late official residence, Columbus and Washington; but with local attachments, perhaps unusually strong, it is quite safe to say that never for one moment have any of us wavered in our desire and purpose to return and make our permanent residence in the pleasant old place in Spiegel Grove in this good town of Fremont. The question is often heard, "What is to become of the man — what is he to do — who, having been Chief Magistrate of the Republic retires at the end of his official term to private life?"

It seems to me the reply is near at hand and sufficient: Let him, like every other good American citizen, be willing and prompt to bear his part in every useful work that will promote the welfare and the happiness of his family, his town, his State, and his country. With this

[1] I have described the interior of the house in the present tense; but the description is to be understood, except where indicated in the text, to apply to the period of Mr. Hayes. As a matter of fact, at the time of this publication, the description in very many particulars is no longer applicable. In 1909 Colonel Webb C. Hayes generously deeded Spiegel Grove to the State for the benefit of the Ohio Archæological and Historical Society, on condition that it be maintained as a state park, and on further condition that a fireproof memorial building be erected on the ground for the permanent preservation of the books, papers, and collections of his father. He only reserved the use of the house in perpetuity for direct descendants of the President. The society accepted the trust and the Legislature of Ohio (Democratic in both branches, and Governor Harmon approving) gladly appropriated money for the building. This structure, which is of gray Ohio sandstone, dressed smooth, stands to the north of the house directly facing the north entrance from Hayes Avenue. It is of dignified classic architecture and of ample size. To it have been transferred all the papers, books, memorials, portraits, war-time relics, and objects of historical and antiquarian interest, which Mr. Hayes had about him in the house or had placed in Birchard Library. Thus invaluable historical material is made accessible to students, and the beautiful park and home will remain intact for future generations to enjoy. — For further details regarding the house and grounds, see the article by Miss Lucy Elliot Keeler, printed as an appendix to this volume.

disposition he will have work enough to do, and that sort of work that yields more individual contentment and gratification than belong to the more conspicuous employments of the life from which he has retired.[1]

For the first few weeks Mr. Hayes was busy in setting his house in order and arranging his books in the new library. At the same time he began at once to identify himself anew with the life of the community. It was his idea that every citizen should do his share of the common duties and take an active interest in local public enterprises. So he resumed participation in the control of the Birchard Library; and he revived his membership in the Odd Fellows Lodge,[2] and joined a Grand Army

[1] Mr. Hayes thought the country had no need to trouble itself about the future fate of ex-Presidents. The following letter to William O. Stoddard, who was writing his biography for *The Lives of the Presidents* series, gives his views: —

FREMONT, OHIO, February, 1889.

MY DEAR SIR, — The message of Governor Hill has started again the discussion as to what is to become of ex-Presidents? Would it not be well, if you have not, to give a chapter to that topic? Governor Hill suggests life senatorships for the ex-Presidents. This, as I see it, is wholly inadmissible. The Senate is already burdened with the great inequality between such States as Delaware, Florida, Nevada, on the one side, and New York, Pennsylvania, and Ohio, on the other. Besides, there is a new peril. The Senate is becoming the rich man's place. Now add to this life members, and you have a condition so inconsistent with the principles of popular government that the abolition or radical change of the Senate would soon come. Just think of a Senate, when the Rebellion was on, with a list of life members like this, namely, Buchanan, Fillmore, Pierce, Tyler, and Van Buren! Of course, I mean no reflection on these eminent men. But the possible extent of the evil is indicated. New Hampshire with three Senators, New York with four, Pennsylvania with three, Virginia with three, and the excess, above other States, for life. Would it not cause discontent?

On the other hand, let the President when he leaves his office take a manly view of the situation. Let him become a citizen again. It is stated that Mr. Cleveland will return to the practice of his profession. I hope he will. It will be a noble answer to the question. He is only six or seven years out of his law-office and can return to it. I should have done so if I could. But I was twenty years out of practice. Leaving for the war in 1861, and an ex-President in 1881, it would have been an uphill business to return to the law. But I would like to see my short speech to my neighbors when they welcomed me home in 1881 set out in full, and then a short and unobtrusive showing of what has been done to carry it out in practice. Indeed, I am quite as content with what I have succeeded in doing an an ex-President as with any other part of my life.

Too much of this — in haste as you see. — Sincerely,

RUTHERFORD B. HAYES.

MR. WILLIAM O. STODDARD,
HEMPSTEAD, LONG ISLAND, N.Y.

[2] "Last evening I rejoined Croghan Lodge, I.O.O.F. I belonged to it when I left Fremont in 1849 — almost thirty-three years ago. Without an especial

THE BUCKLAND GATEWAY, THE MAIN ENTRANCE TO SPIEGEL GROVE

Post, attending the meetings of both regularly and doing his full part in their undertakings.[1] When the Methodists decided to build a new church he bore one fourth of the expense; and when, not many years later, this structure was burned, he contributed a like proportion of the cost of its reconstruction. Nor did he limit his interest in the church life of the town to the Methodist Communion, but gave encouragement and assistance to the other churches, Catholic [2] as well as Protestant, assured that all were doing God's service in the world. In every movement for the betterment of the community in its business or social welfare, or for the relief of the necessitous, when sudden calamity came, he appeared among the foremost with ready contribution and wise advice, preferring always, however, to act, not as a leader, but as a private in the ranks. So he believed his efforts would be more effective and the force of his example would have wider influence.

tendency to 'the work' of secret societies, I have long been satisfied that they were in many ways very useful. Leaving out the beneficial feature, which is certainly valuable, the social and educational elements are excellent. All descriptions of reputable people are here brought together and instructed in the orderly management of public business. All are on their best behavior, a fraternal friendship is cultivated, virtuous and temperate habits are encouraged, and the best of our social instincts are called into play. The festive organizations, convivial clubs, and the like are not safe places of resort for all natures. No man can be worse for the associations of Odd Fellowship and their kindred organizations. Most men will be made better. With this perhaps too moderate estimate of the society, I am glad to unite with it again." (Diary, January 1, 1882.)

[1] He was also chosen to the board of directors of the First National Bank of Fremont and to the board of the Oakwood Cemetery.

[2] "This evening attended on the urgent request of Father Bauer a banquet to the State Council of the Catholic Knights of America. . . . My speech, humorous, offhand, and in recognition of Catholic friends in the war — Rosecrans, Scammon, etc. — exceedingly well received." (Diary, September 9, 1890.)

"Since my speech before the Catholic Knights I have thought of a better one. The bones of it are: I am a Protestant, born a Protestant, expect to live a Protestant, and shall probably die a Protestant. I can see in the past, and to-day, faults in the Catholic Church, but I am grateful for (1) its work in behalf of temperance; (2) its example in keeping together poor and rich; care for the poor; influence with the poor; (3) for its treatment of the blacks; of all the unfortunate races. *A negro sat with us at our banquet table;* (4) for its fidelity in spite of party — nineteen twentieths were against Lincoln; but Archbishop Purcell strung the American flag, in the crisis of our fate, *from the top of the Cathedral in Cincinnati April 16, 1861!* The spire was beautiful before, but the Catholic prelate made it radiant with hope and glory for our country!" (Diary, September 11, 1890.)

CHAPTER XL

PHILANTHROPIC ACTIVITIES

WHATEVER affected the welfare of the men that had served in the Union armies, or was intended to preserve and ennoble the memory of their service, was of abiding interest to Mr. Hayes. So great had been the accomplishment of the war in securing the very fabric of our institutions, that he believed the debt of gratitude due the men that had risked their lives in bringing it about could not be overestimated. The country, therefore, he held, should be more than liberal in caring for the old soldiers and their widows and orphans.[1] No

[1] It was on this principle that he had signed the Arrears of Pensions' Bill while he was President, an act for which he was at the time much criticized by Democrats and strait-laced reformers. In a letter to William Henry Smith, of December 14, 1881, Mr. Hayes wrote: "The thing I would talk of, if I ever defended or denied or explained, is the Arrears of Pensions' Act. That act was required by good faith. The soldiers had the pledge of the Government and the people. Congress, State Legislatures, messages, the press — everybody assured the soldier that if disabled in the line of duty he would be pensioned. The pensions were due from the date of disability, if discharged on account of it, and from the date of such discharge. The act was passed by practically a unanimous vote. A veto would have been in vain. But I signed it not because to veto it would have been ineffectual, but because it was right. It was a measure necessary to keep faith with the soldier. I had fought repudiation on the bond question. Here was a failure to pay a sacred debt to the national defenders. We could not afford — we ought not — to haggle with them. Suppose there was danger of fraud. Was there no fraud in raising the revenue to pay the bonds? Whiskey and other frauds? Defective legislation is largely the cause of the frauds complained of. Secretary Schurz recommended the remedy. Again and again it was endorsed by me. Let the witnesses in pension cases be subjected to cross-examination by the Government and the greater part of the frauds would be prevented. The failure of Government to protect itself against frauds is no reason for evading just obligations. It is said the amount to be paid is larger than was anticipated. That is no reason for repudiating the obligation. The amount is small compared with other war expenditures and debts. And the frauds and hardships upon Government are less than in many other items of unquestioned obligation. We can't make fish of one and flesh of another creditor. Look at the good done. In every county in the North are humble but comfortable homes built by the soldier out of his arrearage pay. They are in sight from the desk at which I write. *I would do it again.* But I will keep silent, and don't want to be quoted. If nobody says what ought to be said in Congress or the press, I will speak at some soldier meeting, and *print.*"

deserving old soldier ever appealed to him in vain for personal assistance or for aid in obtaining a pension. Thus it was quite in the nature of things that he should not approve of President Cleveland's attitude toward pensions. There seemed to be in it too much of the cheeseparing quality. The country was so rich and prosperous, and its wealth and prosperity grew so directly out of the success of the Union arms, that it could afford to be generous to its defenders even at the risk of benefiting some individuals that might be unworthy.[1]

Every year Mr. Hayes with Mrs. Hayes attended the reunion

[1] "As to pensions I would say our Union soldiers fought in the divinest war that was ever waged. Our war did more for our country than any other war ever achieved for any other country. It did more for the world — more for mankind — than any other war in all history. It gave to those who remained at home, and to those who came after it in our country, opportunities, prosperity, wealth, a future, such as no war ever before conferred on any part of the human race.

"No soldier who fought in that war on the right side nor his widow nor his orphans ought ever to be forced to choose between starvation and the poorhouse. Lincoln, in his last inaugural address, — just before the war closed, — when the last enlistments were going on, pledged the nation 'to care for him who shall have borne the battle and for his widow and his orphan.' Let that sacred pledge be sacredly kept." (Diary, February 25, 1887.)

At the same time Mr. Hayes was ready to show practical sympathy with the disabled soldiers of the Confederacy, as witness the following letter: —

Fremont, Ohio, 15 March, 1889.

My dear Sir, — I thank you for the privilege of uniting with the New York Citizens' Committee in their patriotic and charitable work in behalf of the disabled and destitute soldiers of the late Confederacy.

The time is plainly drawing near (if it has not already come) when justice to its defenders will require the National Government to expend much larger sums than have heretofore been appropriated for the support of the men who saved it. The sacred obligations to the Union soldiers must not — will not — be forgotten nor neglected, especially by those who have shared in fullest measure the prosperity which has come from the services and sacrifices of those who stood by the Government when it was imperilled.

But those who fought against the nation cannot and do not look to it for relief. Their disabled and destitute comrades are left to the generosity and benefactions of their more fortunate fellow citizens who wisely forecast the inspiring future of our country. Confederate soldiers and their descendants are to share with us and our descendants the destiny of America. Whatever, therefore, we their fellow citizens can do to remove burdens from their shoulders and to brighten their lives is surely in the pathway of humanity and patriotism.

With my contribution to the enterprise I beg you to accept also my best wishes for its success. I remain sincerely,

Rutherford B. Hayes.

Mr. Oliver Downing,
Secretary.

of his old regiment, when the glorious fighting days in Virginia and Maryland were lived over again in reminiscence and anecdote and song. He was long president of the Army of West Virginia. He participated also, on invitation, in the reunions of many other regiments, and in the larger reunions of corps and armies. Invariably on such occasions unusual attentions were shown him, and his patriotic speeches, often on the spur of the moment, never failed to stir the hearts of his auditors. From Grand Army posts near and far came frequent requests to Mr. Hayes to speak on Memorial Day, or at monument dedications, or on other special occasions. These he never refused, however inconvenient they might be, unless other engagements made acceptance impossible. In his scores of speeches on these occasions he was accustomed to dwell on the large results of the war,[1] on the great principles that were at stake and that came forth from the fiery ordeal fairer and more potent than before; and then to plead for the assuagement of sectional bitterness and antagonism, for complete reconciliation and for unity of national feeling and aspirations.[2] He rejoiced at what he had been able while President to do to these noble ends; that it had been

[1] "By the results of our war we are made the guardians of the peace of the world. The world's highest interest is in our custody — our sacred keeping. We are to have the place of the great pacific power. Germany or Russia is the great warlike power. Great Britain is the great naval power. But we are the peacemaker, if we intelligently and wisely take advantage of the results of the War for the Union." (Diary, June 25, 1887.)

[2] "During the G.A.R. encampment [at Steubenville] the weather was simply perfect. The people of the town were patriotic and generous. The only thing to disturb was the disposition of one or two men to scold the South — to discuss irritating topics in an ill-tempered way. This is in bad taste — is bad policy and bad in principle. Silence on that which breeds ill temper is the true course. The Southern people are our countrymen. They displayed great endurance and courage — great military traits of character — during the war. Let us now, as soon as possible, bring them into good relations with those who fought them. Let us become one people." (Diary, April 30, 1891.)

"At the G.A.R. there was a little demagoguery in the way of keeping alive the bitterness of the war. A motion was made and carried against the purchase of Chickamauga battlefield, against Rebel monuments, etc., etc., etc. The truth is, the men of the South believed in their theory of the Constitution; there was plausibility — perhaps more than plausibility — in the States' rights doctrine under the terms, and in the history, of the Constitution. Lee and Jackson are not, in the moral character of their deeds, to be classed with Benedict Arnold. They fought for their convictions, for their country as they had been educated to regard it. Let them be *mistaken*, and treated accordingly. Their military

THE HARRISON TRAIL AND GRANDFATHER'S OAK, SPIEGEL GROVE

Harrison Trail Gateway in the Distance

fruitful in continuing effect; and that gradually, under the healing influence of time and the increasing business and social intercourse of North and South, old prejudices were fading away and ancient animosities were ceasing to vex men's souls. For example, in an address at the reunion of the Seventy-second Ohio Regiment at Fremont, in September, 1886, Mr. Hayes uttered these words: —

> Wars are tested in many ways. On the commonest plane in which you can put it this war will stand the test. The French proverb is, "Success succeeds." Try it by that. Test this war by its results. It is the greatest war in history. Never before was there a war in which the object of the war was so fully and so completely achieved. Consider exactly what it was you were thinking of — what we thought to do — what we wished, what we hoped for — what we fought for. From the beginning the question was, whether these States had come together to stay, or whether each was an independent sovereign to come and go at its own sweet will.
>
> We went to war to settle that question. We fought to save the Union. When the war was ended that question was settled forever, and graven into the granite upon which the nation rests, that hereafter no State of this Union will ever attempt to resist the constitutional authority of the United States.
>
> Again, it was always a question which was the greatest government, the State or the Nation. To which was the highest allegiance due, to the State or the Nation? The Southerners held that the State was sovereign; we believed in the sovereignty of the United States. When the war was ended, where was that question? There was no question left. It was settled and settled forever that every inch of soil of the United States belongs forever more to the Stars and Stripes.
>
> And then there was a third question. They believed that the corner-stone of liberty was slavery. We believed that the corner-stone of the Republic was the Declaration of Independence, which gives equal rights to all men, and we fought it out, and when the war was ended, was there any doubt about it? Never again in this country, nor in any

genius and heroism make the glory of the Union triumph." (Diary, May 2, 1891.)

"Major McKinley visited me. He is on a stumping tour and came from Sandusky last evening and spent the night with us. . . . I criticized the bloody shirt course of the canvass. It seems to me to be bad 'politics' and of no use. This, even supposing it was sound in itself. The people are weary of it. It is a stale issue. An increasing number of people are interested in good relations with the South. This tends to keep alive animosities. Two ways are open to succeed in the South: (1) A division of the white votes; (2) education of the ignorant. Bloody shirt utterances prevent division, etc." (Diary, September 11, 1885.)

civilized country, will "the false and fatal phantasy" be found, "that man can hold property in man." That was settled and settled forever. Now, these are three things that we thought of and fought about.

And was there ever a war in all history in which the results were so exactly obtained as in this war for the Union?

But there is another proposition or point that I always make, when talking to soldiers, and that is that, looking into the dim future, we were blind. We did not see what now we are beginning to see, better and more clearly with every revolving year. It is plain now to all the world that we achieved, not merely what we conscientiously fought for, but that the results obtained transcend beyond measure the wildest anticipations of the friends of the Union. Why, take just one thing. Did we think or dream, as we were fighting, that it was to make this nation the greatest nation on the globe? Did we think that it was to give us a prestige everywhere that we never had before, and one that we could not have had without that war?

Furthermore there was this one result which separates this war from all other wars of history; and that is: That the conquered people gained more by our victory than victory in any other war ever gave to the victors. But it does not need argument; you all see it as plain as sunlight. At the South they are set free. Education comes to them all. There was no general education there before. Equal advantages come to all. Wealth comes pouring in. We do not, of course, have everything now within twenty-four hours just as we know it will be in two or three generations. There are some people soon hot and soon cold, that others look to, who think we move too slowly. The Southern people are doing very well, both black and white, considering that they had been cursed with slavery so long. I repeat that our lately misguided brethren of the South are doing very well.[1]

And following is the peroration of his address at Columbus, Ohio, Memorial Day, 1892: —

Another lesson inculcated by the war is for America still more important. All wars educate. Of our war it has been said: "Ideas were behind the cannon and pointed the musket." Abraham Lincoln was the very incarnation of these ideas, and they are at once the secret and the sure foundation of the enduring place which he holds in the affections of all good men and women. The sentiments which filled his soul and were the guide of his life were: Humanity — anxious solicitude for the welfare of his fellow men; sympathy with the suffering and the oppressed; hatred of wrong to the humblest human being, and our common brotherhood. The lesson of his wonderful life contains almost the whole future of our country. It is short and simple. Our America to-day is drawing near to the parting of the roads. Dazzled almost to blindness by

[1] This quotation has been somewhat condensed.

contemplation of the unrivalled swiftness and splendor of her march to prestige, to power, and to riches, our country may be tempted to reject, or may neglect the message of Lincoln.

That message was often repeated by him in words, and always exhibited in his life from his earliest to his latest days on earth. It can easily be given in a single sentence. His whole life, his very being, seemed to say to his country: "See to it that every son and daughter of our Republic, so far as human laws and conduct avail, shall have an equal chance and a fair start in the race of life." Knowledge is power and property is power. The Republic means opportunity — the equal opportunity to get knowledge which in the long run commands property. The practical meaning of Lincoln's maxim is therefore, let all the children of the Republic have an equal opportunity for the best education which their natural faculties fit them to receive! Reject or neglect this and our government ceases to be republican except in name, and that doom which the Almighty has appointed for all shams is not far off. On the other hand, let the American people remain steadfastly true to the ideas for which they fought in the sacred war, and we shall thus do all that in us lies to link the destiny of our country to the stars, and to entitle her institutions to share in that immortality which, under the allotment of Providence in the affairs of nations, belongs always and only to eternal wisdom and eternal justice.[1]

Similar ideas found expression also in his numerous speeches at Loyal Legion gatherings. Soon after his return from Washington the Loyal Legion of Ohio, with headquarters at Cincinnati, made him its commander. This post he held for several years despite the inconvenience it involved of frequent journeys to Cincinnati.[2] Then the national body, of which he was senior

[1] On another occasion he said: "Our Civil War gave to us and to the world a much-needed lesson. In the hardest stress of the war the private soldier and the private citizen in the field and in civil affairs were often wiser and firmer than many of the generals and statesmen. The masterly leadership of President Lincoln was rooted in his perfect knowledge of the people and in his implicit trust in their heroic and enduring patriotism. On this rock stands the United States. Our political differences no longer touch the fundamental principles or even the forms of our institutions. Hereafter our party conflicts will be over questions of administration. Important questions undoubtedly, but they are not vital; they are ephemeral, and may be decided, for the time, either way without involving the life of the Republic or the form of our government. The United States has entered upon a career which is open to no other great nation. Here the people with almost entire unanimity believe that our form of government is for us better than any other, and are satisfied with the principles on which it rests."

[2] "The installation as commander of the Loyal Legion will take place tomorrow evening, Wednesday, 3 June. This is my third election to the place. All know how much I value the service we rendered together during those long, anxious, critical but golden years from 1861 to 1865. Tested by its results, it is the

vice-commander, at its annual meeting in Philadelphia in 1888, without a dissenting vote, elected him commander-in-chief to succeed General Sheridan.[1] In this capacity he served the order to the end of his life, presiding at the national meetings and giving much time and attention to the promotion of its interests and the furtherance of its patriotic purposes. An indication of the kind of speeches he made on Loyal Legion occasions is afforded by the following condensed version of his address at Indianapolis, December 19, 1888: —

Companions, — The Military Order of the Loyal Legion of the United States is writing the history and biography of the war for the

greatest war of all history. America was indeed the cradle of the future. In great peril our Republic and our America might have been destroyed and would have been destroyed but for the work we did. After that work it no longer was a cradle — it was no longer a possibility: it became a probability. With wisdom and moderation it became a certainty. And that certainty was and is that America is the impregnable fortress of whatever is best in the world in government, in society, and in civilization. Our society, the most permanent of all soldier organizations, stands on this matchless service as its origin, its foundation, and its reason for being." (Diary, June 2, 1885.)

[1] General Hayes had said to members that consulted him that he thought either General Sherman or General Schofield should be elected; that he would not take the place unless it was given with substantial unanimity, without contest. He was told, "Then you will be elected, for all want you." When General Joshua L. Chamberlain rose to make the nomination, he expressed embarrassment that in saying what he proposed he "must offend the modesty of the honored companion who presides over this meeting." Whereupon General Hayes left the chair and retired from the room. General Chamberlain said: "I offer the nomination in the interests of this society. However fitly we might recognize the merits of some one of the distinguished officers of the regular service whom we have now, I am sure, in our minds and hearts, we present here a man who has been commander-in-chief both of the army and navy. However honorably we might be represented abroad by placing at our head a veteran and hero of the war whose name is known in all lands, we shall miss nothing of honor in choosing for this position one to whom, by reason of his gallant service and of his distinguished ability and character, were committed the highest trusts of his country at a critical period of her history. Sir, this is most truly a historical society. Noble records that have been made are to be nobly kept. The power of noble deeds is to be preserved and passed on to the future. And what better recognition of our own place and service, what brighter link in the continuity of our own history, what better pledge of our loyalty and faith both to the past and to the future, than that in the honored roll at the head of our society, chosen from among those who have led our armies in war, we place the name of one who was called to the exercise of highest authority in realizing its consummation, and securing its consequences: one to whose hands it was given to guide the final steps in the restoration of the civil order, the reconstruction of disabled States, and the regeneration of the Republic?"

Union, and on such a scale that they will soon fill many volumes. Its own story can easily be told within the limits of a few pages.

In the very hour of the rapture and ecstasy of our full and final triumph in the great conflict, the cruel tidings came that seemed for a time to blast it all forever. What was victory without Lincoln? Where was hope with Lincoln murdered? In the midst of the sadness and almost despair that settled down upon all minds and hearts and in that deep gloom, — in that darkness that could, indeed, be felt, — a little band of patriots of the war, in the loyal city of Philadelphia, recalled the example of the Revolutionary fathers and imitated the action of Washington and his officers of the Continental Army, when they were about to bid each other farewell at the end of the long, hard contest of the War for Independence.

The Society of the Cincinnati was the unquestioned prototype of the Military Order of the Loyal Legion. The place, the time, the model chosen, and the sentiment which sought and found expression in its organization are all fitting and noble. What will be its future? What will be its influence on its members and our countrymen, and especially upon the young who are growing up to take our places? It is not, and it will not be, a political organization. We understand very well that free government is of necessity a government by means of political parties. We also understand perfectly that men who have stood by their convictions on the perilous edge of battle are not likely to be neutrals in the political conflicts of their day. But our organization stands on a sentiment that can easily bear the severest possible strain due to sectarian or partisan feelings. The Loyal Legion is essentially the organic expression of our comradeship in a sacred war. Said General Harrison, "Politics cannot break the bond of comradeship." In this the general made no mistake. It does not even dim the brightness of the links that unite us. They were welded when we stood together as comrades on holy ground, fighting for eternal right. Where is holy ground? If anywhere it is where man freely dies for his fellow man. That sublime privilege was the crown of Lincoln's fame. And we of the Loyal Legion and our comrades of the Grand Army can reverently thank God that we were permitted to stand by Lincoln in the deadly crisis of our nation's history.

I repeat the question, What shall be the teaching of the Loyal Legion? Ideas rule the world. It goes without saying that the ideas we fought for are the principles of the Loyal Legion. Those ideas without regard to the sect or party of our choice we hold to.

The Union of the fathers was imperilled by secession. Our faith is that the American Republic, in the language of the Supreme Court, is "an indestructible Union of indestructible States."

The general Government was threatened by the doctrine that the allegiance of the citizen was due only to his State. Our faith is that the citizen's allegiance is to the United States, and that the United States is in authority and duty, in the fullest possible sense, a nation.

The contention of our adversaries was that slavery was national, perpetual, and of Divine origin. Our faith is that no statute and no constitution can make valid "the false and fatal phantasy that man can hold property in man."

By reason of their peculiar institution in the slaveholding States education was within the reach of only the few who were rich. But for the white man who was poor it was not provided, and for the colored man it was not simply denied, but by solemn enactments was made a crime. The faith of the Loyal Legion is that universal suffrage is essential to liberty, and that there can be no fitting exercise and no full enjoyment of the right of suffrage without universal education.

Above all, our faith is in America. We believe in the study of America, of its history, of its geography, and of the lives of its men and of its women. We believe in American principles, in American music and songs and tunes. We believe in the American home and in the character and the virtue of the American women which make American homes happy.

Finally, one of the mistakes of the Rebellion was unduly to exalt what they called "Sovereign States." They thought each State should have its own flag for its people to gaze upon and to admire and love. The faith of the Loyal Legion is the reverse of all this. We believe that the whole of the American Republic — every State and every acre in every State belongs to one flag, "the old flag" — the Stars and Stripes — the flag of Washington and of Lincoln — the flag of the United States.

Already while Governor, Mr. Hayes had come to see the need of more humane and more scientific methods in dealing with men imprisoned for crime. He had much correspondence with the Reverend E. C. Wines, the well-known prison reformer of New York, and he sought to inform himself of the prison systems in other States and countries. He presided, while Governor, at the first National Prison Congress, held at Cincinnati in 1870. While he was not deeply impressed with the notions of the extreme sentimentalists, he was convinced that, in prison discipline, far greater emphasis should be placed on efforts to reform the convicts and less on the idea of retribution, believing that if this were done a greater proportion, especially of first offenders, would be restored to useful citizenship instead of coming out of prison hardened in their purpose to war on society. So he had been foremost in introducing better methods in the penal system of Ohio. Mr. Hayes never lost interest in this subject; rather his interest was intensified alike by reason of his experience in the exercise of the pardoning power, — when

he steadfastly leaned to the side of mercy in all doubtful cases and in dealing with first offenders, — and as a result of his increasing knowledge of penology. When, therefore, in 1883, men seeking to revive the National Prison Association — which had been allowed to lapse after the death in 1879 of Dr. Wines, to whom it had owed its origin and vitality — invited him to become its president, he did not hesitate to accept the new responsibility and to throw himself heartily into the work.

This position he held during the rest of his life, performing all the duties it involved, no matter how great expenditure of time and effort was required, with conscientious exactness and unabated zeal. In this cause he had the active coöperation of many of the most eminent reformers of the country. The association each year held a Prison Reform Congress in one of the more important cities of the country, at which all subjects pertaining to prison methods and the criminal classes were freely discussed by students of penology and by men engaged in the supervision or management of penal institutions. The principal object of these meetings was to arouse public interest by the presentation of facts and the suggestion of remedies, and so to excite public opinion to demand the correction of existing abuses. Mr. Hayes presided at these meetings and opened the congress each year with an address, defining the aims and purposes of the association and discussing the underlying principles of the reforms that ought to be brought about.[1] These addresses were uniformly marked by sobriety of statement, by clear understanding of conditions and possibilities, and by practical good sense in suggestions. He deprecated any weakening in the administration of justice. Rather he would have greater vigor imparted to it by more expeditious procedure in court, by the elimination of politics from prison management, and by wiser methods of executing its judgments — methods which, whatever severity they exacted at times, should always be mindful of the golden rule; should always be exercised in a spirit of

[1] "He presides over the most prolonged sessions of the congress with the utmost ease and patience. No suggestions upon the topics of the congress are more valuable than his. His generalizations of what is presented by others are invaluable." (Rev. W. J. Batt, chaplain Massachusetts Reformatory, in the *Advance*, December 15, 1892.)

humanity and just compassion. The quality of his annual addresses is indicated by the following brief quotations: —

In dealing with criminals the friends of prison reform, while they remember that justice must be tempered with mercy and that convicts must never be regarded as beyond the reach of human sympathy, will not fail also to remember that the virtues of mercy and sympathy are not to be allowed to swallow up every other virtue. The end aimed at in legal punishment, so far as concerns the criminal, is not vengeance, not mercy, not absolute justice. It is the welfare of society.[1]

We believe that society is so compacted together, that Providence hath so ordained and doth so govern things that, whether we would have it so or not, we must be and are our brothers' keepers. No man's family is safely entrenched against vice and crime and the shame and wretchedness to which they lead. Let the outcast and the criminal be forgotten or disregarded and our whole society will suffer from the taint of human degradation. Like a blood poison it will spread through and through the social system until it reaches the heart. This serious and mighty truth imposes a duty which no society can afford to neglect. Civilized society cannot neglect it and live. No well-informed Christian society ever will neglect it.[2]

The chief aim in the treatment of convicts is to protect society against its avowed enemy, the criminal. The advocates of improved prisons and prison discipline add to this a more specific statement. They would reform all convicts whom they can reform by wise systems wisely administered. Those who cannot thus be reclaimed should remain under their sentence of conviction where they can support themselves by labor and do no harm to society. Is this a hard doctrine? Is it not just and humane — is it not good sense to say as long as you are a criminal, so long shall you be a convict? . . . Our duty as men and Christians is to do all we can to enlarge the percentage of reformed, and to reduce to the lowest possible figure the list of the determined criminals.[3]

There can be no question that what Mr. Hayes was able to do in behalf of this cause had positive influence in hastening the adoption of more rational and more humane methods in American penal systems.[4]

[1] From speech, National Prison Congress at Detroit, October 17, 1885.

[2] Closing paragraph of speech, opening National Prison Congress at Atlanta, November 6, 1886.

[3] From speech, National Prison Congress at Nashville, November 16, 1889.

[4] Mr. Hayes further manifested his practical interest in this cause by exerting his influence to bring about the erection of a model jail in his home town.

Great as was his devotion to the interests of the old soldiers and to the prison reform cause, it was, however, educational problems that excited his deepest concern and most engaged his thought and endeavors.[1] He never wavered in his conviction of the propriety and wisdom of national aid to common school education; and in all the years that the subject was before Congress, by frequent public expression and by personal letters to Congressmen,[2] he exerted his influence in favor of legislation to that end. Of all his many addresses on this theme the most notable was the one delivered at Woodstock, Connecticut, on July 4, 1883. In this he urged that universal suffrage demanded universal education and that the burdensome mass of illiteracy in the South was too great for that section in its impoverished condition to deal with single-handed. The nation should come to the rescue. Some of his most striking paragraphs were: —

We have now had thirteen years of experience with universal suffrage under our amended Constitution. This experience confirms the often quoted and familiar opinions of the fathers of the Republic. They held

[1] "My reflections lead me to the idea that the practical good thing for me to try to give the public is general education. With my family affairs, my place, my town, and this as an object, I can always be agreeably and usefully employed. I am averse to writing for the public. I am out of official life, but it seems to me I can accomplish something in this direction." (Diary, April 17, 1883.)

[2] "I am daily writing to members of Congress in behalf of the bill in aid of education by the general Government. There is a good deal of hope among its friends. But —" (Diary, December 30, 1884.) — The following letter shows the kind of appeal Mr. Hayes made to Congressmen: —

FREMONT, OHIO, 9 March, 1886.

MY DEAR SIR, — As one of the trustees of the Slater Education Fund, and also of the Peabody Education Fund, I have given, during the last five years, especially, a good deal of attention to the general subject of education in the South.

The result is that I feel very great solicitude in behalf of the Senate bill now before the committee of which you are a member giving national aid to education when such aid is needed. A few words will indicate sufficiently what I think. Elections without education — universal suffrage without universal education — must always and everywhere be a farce. There will be no general education in the South for several generations without national aid. The bill before you is the only chance. You have an opportunity to serve the Republican party by serving the country such as has been rarely presented since the war. Excuse me for urging you with some warmth to give the subject your best attention. With great respect, sincerely,

R. B. HAYES.

HON. ISAAC H. TAYLOR,
WASHINGTON.

that where all are citizens and all are voters the necessity is imperative, fundamental, and overwhelming that there should be free education for all. Ignorant voters are ammunition for demagogues. Public and private credit, social peace and order, property and life are unsafe in any community where the voters who make and execute the laws cannot read and write. The only power able to establish and support an efficient system of universal education is the Government. In the South, by reason of slavery and its pernicious legacies, to provide for the free education of all by state authority is simply impossible. The colored people were held in bondage, and therefore in ignorance, under the Constitution of the nation. They were set free and made citizens and voters by the most solemn expression of the nation's will, and now, therefore, the duty to fit them by education for citizenship and suffrage is devolved upon the whole people.

The Southern States, with commendable zeal, have begun the work. The best minds in those States support it. What is now needed is pecuniary aid — that aid which the nation is abundantly able to furnish. Ignorance, if widespread, anywhere in our country imperils the welfare of every other part of the United States and of the whole nation. To educate all the citizens of the United States is at once our highest duty and our highest interest. Education is the friend of whatever is most to be desired in civilized society. It is hostile only to that which is bad. There is no safe foundation for free governments without it.

The real government in this country is that of opinion, and with the means and authority for universal education in our hands, it is "optional with us whether the power to which we have subjected ourselves shall be a power of intelligence or of ignorance; a reign of reflection and reason or of reckless strength; a reign of darkness or of light."

To complete reconstruction and regeneration in the South, the only force now left to the Government or the people is popular education. Let national aid to this good cause be withheld no longer.[1]

He presented the same ideas in different language on a great variety of occasions and before audiences of every sort. While undoubtedly he carried with him in this advocacy the

[1] Speaking to the same subject on Memorial Day, 1885, at Ripley, Ohio, Mr. Hayes said: "I have said before and I repeat that the colored people are the only people resident in our country when slavery existed who are in no sense responsible for it. 'They were here by the misfortune of their ancestors, and by the crime of ours.' Slavery is responsible for the ignorance of the South. Who is responsible for slavery? It was in the Union and in the Constitution when they were formed. All who took part in forming or upholding them while slavery continued are in some sense responsible for slavery. Let the nation then complete the work which was begun by the soldiers who are honored to-day. The work of the war was to save the Union by abolishing slavery. It only remains to secure the results of the war by giving to the emancipated race that education which will fit them for their new duties."

PRESIDENT AND MRS. HAYES AND WILLIAM HENRY SMITH

On the Piazza at Spiegel Grove, 1889

sympathies and support of the great majority of men of benevolent public spirit, and while the Blair Bill more than once barely failed of passage, yet the prevailing sentiment of the country, as has already been noted, opposing so vast an extension of national authority, finally stamped the project with disapproval.

Mr. Hayes was disappointed at this result, but he found consolation in the greater efforts put forth each year by the Southern States to ease themselves of the burden of ignorance and in the constantly accelerated flow of private benevolence from the North into the less enlightened parts of the South. How exigent were the needs of the South for assistance to give even rudimentary school training to its vast horde of illiterate negroes and poverty-stricken whites, Mr. Hayes vividly realized by reason of his activity as a member of the board of trustees of the Peabody Education Fund. To this board he was elected in his first year in the White House. The venerable R. C. Winthrop, of Massachusetts, was then president of the board, and the other members were General Grant, George Peabody Russell, General H. R. Jackson, Secretary Evarts, Hamilton Fish, William Aiken, George W. Riggs, Samuel Wetmore, A. H. H. Stuart, General Richard Taylor, Surgeon-General Barnes, Chief Justice Waite, Bishop Whipple, T. Lyman, and the Reverend Dr. Barnas Sears. In the years that followed, as one member or another passed to his reward, other men of similar note and eminence were chosen to the board. The fund was created by George Peabody,[1] the illustrious American financier and philanthropist of London, whose immense benefactions, both in England and in this country, established a new standard of beneficence. The income of the fund was to be used to aid the cause of education in the South regardless of race. It was administered under the direction of the trustees by a secretary or agent, who visited the schools that received assistance and made himself conversant by direct investigation with the educational conditions of the old slaveholding States. Mr. Hayes always kept in close touch with the work and never

[1] This was in 1866 on a visit of Mr. Peabody to this country. He then gave $2,000,000. On his subsequent visit three years later he gave an additional sum of $1,400,000.

failed to attend a meeting of the board. These annual meetings usually took place in New York. After the serious business of the board was completed, the work of the year gone by reviewed, and plans made for the year to come, the trustees with their wives or daughters always dined together and spent the evening in social intercourse. These evenings were greatly enjoyed by Mr. Hayes. So, altogether, membership in the board, while bringing him much care and labor, was not only a source of satisfaction to him because of the good results he helped accomplish, but also had recompense in the pleasant personal associations that it fostered.

Similar duties and responsibilities were undertaken by Mr. Hayes, and similar relations were created for him by his connection with the Slater Fund. This was a fund of one million dollars placed in the hands of trustees in 1882 by John F. Slater, a wealthy cotton manufacturer of Norwich, Connecticut, the income of which was to be used to aid in the education of the freedmen; especially in the training of teachers.[1] Mr. Hayes was made president of the board and so continued to the end of his career. The other members of the board as originally constituted were Chief Justice Waite, Governor Colquitt, of Georgia, John A. Stewart, William E. Dodge, Morris K. Jesup, Dr. Boyce, President Gilman, and William A. Slater.[2] The benevolence was administered in much the same way as the Peabody Fund, except that its benefit was confined to schools

[1] "The Slater charter has become a law in New York. I will now try to make the most of this good charity. Industrial education, as well as religious education, must have attention. To make the colored people respected and influential they must be successful in accumulating property — in doing the work which our civilization prizes most highly. Let them be not merely bookish scholars, but good mechanics and good business men. Let them show architects, civil engineers, and the like." (Diary, May 7, 1882.)

"The Slater Fund Trustees meet to-morrow. A few ideas seem to be agreed upon. Help none but those who help themselves. Educate only at schools which provide in some form for industrial education. These two points should be insisted upon. Let the normal instruction be that men must earn their own living — and that by the labor of their hands as far as may be. This is the gospel of salvation for the colored man. Let the labor not be servile, but in manly occupations like those of the carpenter, the farmer, and the blacksmith." (Diary, New York, October 4, 1882.)

[2] Two years later Phillips Brooks, whom Mr. Slater had desired from the first, joined the board.

established solely for the negro race. In the later years of Mr. Hayes's life the same man, the Reverend Dr. J. L. M. Curry, was made the disbursing agent of both funds, and thus complete coöperation in effort was brought about. In the interest of the work of the two boards, Mr. Hayes in the autumn of 1891, accompanied by Dr. Curry, made an extended trip through the South,[1] so as to be able, by personal inspection of the schools receiving aid, to know more intimately the results that were being accomplished and to see for himself the needs and conditions that deserved consideration. In each community that he visited the people greeted him with every manifestation of respect and honor. They wished him to know that they had not ceased to be grateful for what he had done and said for the South while he was President,[2] and that they appreciated the interest he had ever since displayed by word and deed in the new development and the growing prosperity of their part of our common country. In every city occasion was made for him to address the people, when he expressed his gratification at the signs of progress everywhere apparent, and spoke for the cause of education, to forward which was the special object of his visit. His most significant utterance, perhaps, was in his brief speech November 10, at the Montgomery Exposition. He said:

> In all free governments, and especially in this, the peace and progress of the country depend upon the intelligence and religion of the people. The people make the Government just what they want it to be. We rejoice to see what your State has done for the education and elevation

[1] The towns visited were Columbia (South Carolina), Orangeburg, Augusta, Atlanta, Montgomery, New Orleans, Jackson (Mississippi), Memphis, and Nashville.

[2] His experience was similar to this at Atlanta in 1886, as witness the following: "My visit to Atlanta, Georgia, was in all respects most gratifying. I presided over the meetings of the National Prison Association. No reception could have been more cordial and friendly. All descriptions of people publicly and to me personally said that the South owed a debt to me greater than to any man since Washington. All agreed that I had taken the course first which had restored harmony between the sections. Among those thus greeting me were Governors Gordon, McDaniel, Bullock, Colquitt; Reverends Tucker, Hathorne, Strickler, Jones; Mayors Goodwin and Hilyer; Citizens Sidney, Root, Kiser; members of the Legislature without number, etc. Whenever these sentiments were uttered in the public meetings, as they were constantly, the response was hearty and prompt. Altogether the personal part of the visit was all I could wish." (Diary, November 18, 1886.)

of all her citizens. Free institutions can only exist where there is universal education.

I believe now, as I believed fifteen years ago, in home rule. I believe now, as I believed then, that the flag of the nation should not float over conquered provinces, but over free and independent States. [Great applause.] I think the Supreme Court of the United States set forth the true principles of our Government when it declared this to be an indissoluble Union of independent States.[1]

Mr. Hayes never had any regrets for the policy he had pursued toward the South. Complete reconciliation was slower in coming than he had hoped, but he rejoiced in believing that his action had done much to accelerate its progress.

Mr. Hayes further showed his interest in everything pertaining to the amelioration of the condition of the negro race by presiding over the early conferences at Lake Mohonk, for the discussion of all the questions that this problem in our social and political life presents. In his address at the opening of the First Conference (June 4, 1890), Mr. Hayes, in a few sentences, clearly outlined the proper scope of the inquiries to be undertaken and the influences that were sought to be exercised. His words were: —

Upon the Constitution and the laws of the Nation and the States, and upon their administration, the welfare of the negroes, like that of their fellow citizens, largely depends. This wide area of duty and of effort belongs to the domain of practical statesmanship. It will be explored, investigated, discussed, and dealt with by those who make and those who execute the laws, state and national, by the public press, and by political parties. These agencies, guided by their sense of duty and supported by public opinion, we may hope will in the long run be adequate to the responsibilities devolved upon them. Our Mohonk Conference accepts the less conspicuous but hardly less grave and influential place of employing the forces which concern the educational, the benevolent, and the religious side of the question. We seek conscientiously to avoid whatever is sectarian, or that smacks of partisanship or sectionalism. Political duties and political action, however vital in their appropriate sphere, should, in this conference, it is believed, yield the floor to impartial investigation and earnest discussion of the best methods for uplifting the colored people in their industries, their home

[1] Commenting on the last paragraph the St. Louis *Republic* (Dem.), November 13, 1891, said: "Mr. Hayes can well afford to submit to the judgment of history, for it will certainly say of him that he did more to restore the Union of free and independent States than was ever done by any other Republican President, or by all the other Republican Presidents together."

life, their education, their morality, their religion, and, in short, in all that pertains to their personal conduct and character. If we can, with harmony, prudence, and good sense, adhere to this course, we may expect to do something on this momentous subject toward forming and enlightening that public opinion which, in a land of free institutions, must be regarded as, under Providence, the final sovereign — as, in fact, the Government.[1]

Mr. Hayes was also a member of the board of trustees of Western Reserve University, at Cleveland, of the Ohio Wesleyan University, at Delaware, and, by appointment of the Governor, of the State University, at Columbus. In each case he took his duties seriously, attending all meetings of each board and serving on important committees. He was never willing to shirk responsibility when any trust or obligation had once been accepted by him.[2] In each university he strove for a broadening of the courses of study and urged that greater stress be placed

[1] "The Mohonk Conference is a tentative effort, whose aim is to reach the truth on the negro question, and to assist in the formation of sound opinions among the people as to their duty on the whole subject." (Diary, May 8, 1890.)

"Whether what we have said or done shall live or die, our impressions, our convictions are stronger than before that the much injured race in whose behalf we have met has large possibilities, an important future, a part to play in the history of our American society. It is said that this [race] has had no history. That is not quite true. But true or not, we have heard enough to be assured that the gifts required to take a place in history in large measure belong to them. We were told of their success in weighty tables of figures by Mr. Harris [United States Commissioner of Education]. President White told of the great men he met in Santo Domingo, in Hayti, and other West India islands. Let me add a small item to that shining list of prophetic facts, pointing the possible future of the race. I was a few days ago in Bermuda. The entrance to its principal port is a long, intricate, difficult, and dangerous passage. The man [a negro] who has charge of the ship, taking it in and out, can be no weakling." (Diary, June 6, 1890.)

[2] "I have made it a rule through life to attend well to the humblest duties assigned to me, as official, or committeeman, or otherwise. This has been a necessity for me, with my feelings and notions of duty. It has also been a powerful aid. One gets the reputation of reliability, makes acquaintances favorably, gains friends, becomes a necessity or a providence to others, and is therefore supported and pushed ahead. Both for self-comfort and self-interest, I advise the young to this course." (Diary, July 3, 1887.)

"Just now I am giving my thoughts to the Ohio State University, at Columbus. It is in some respects not in a satisfactory condition. It will come out in due time. If anybody was its founder, in the words of Governor Corwin, 'a great part of it I am which.' The land I worked so hard to get, now in the city of Columbus, is already worth twice as much as the land-grant fund, and will be in a few years worth millions." (Letter to William Henry Smith, November 27, 1887.) — Mr. Hayes was also President of the Ohio State Archæological and Historical Society, and was zealous in furthering its work.

on the subjects of practical importance in the affairs of life. He had become convinced that the older college education spent too much time and energy on Latin and Greek; that the average student could be better trained for the new conditions of the age by giving him a larger knowledge of history and of politics, of literature and of modern languages, and, especially, of science and of scientific method, than the old constricted curriculum made possible; that with the study of principles should go constant application of them in practical exercise, constant verification of them by laboratory investigation.[1] He was among the foremost to insist that education ought not to be wholly along intellectual lines; that it should embody also some training of the hand and eye by the use of tools and machinery. Indeed, during the last few years of his life, he made practically no speech on any college or school occasion in which he did not plead for the introduction and extension of manual training courses in our common schools; and of mechanical courses in institutions of higher learning.[2] The purpose of manual training, he contended, was "to give a general dexterity of the hands and eyes in the use of the leading elementary tools of the principal mechanical trades." It had many advantages: —

> Manual training promotes accuracy, cultivates observation, develops judgment, and trains the faculties to attention and concentration. It leads to habits of industry — to belief in labor, to respect for labor, and to the spirit of labor. It is good for health. It builds up

[1] "No book study merely — no study without practice — gives a complete and thorough education. The study of rhetoric will not make an orator or a writer. Declamation, debate, the habit of composition, must be formed by practice. Work must go with study. Geology and the other sciences are to be learned well only by practical work. Thoroughly to understand a theory we must be able to put it into practice.

"I constantly find one advantage in working for educational and benevolent enterprises in the fact that having been in the first place I am not suspected of wanting any personal promotion or advancement." (Diary, November 27, 1887.)

"The delusion of the past in all our schools and colleges has been that there is no mental training except in books, while in fact the best intellectual culture is to be found in learning how to use skilfully the eyes and hands." (Diary, December 18, 1887.)

[2] "The study of tools as well as of books should have a place in the public schools. Tools, machinery, and the implements of the farm should be made familiar to every boy, and suitable industrial education should be provided for every girl." (Diary, June 27, 1884.)

character. The key to what I am saying is my own observation and experience. I do not attempt to prove it by a process of reasoning. I venture, with all due diffidence, I trust, to give you my testimony. Take it for what it is worth. I will support it by many concurring voices that are of the highest authority. Work with the hands — skilled labor under intelligent and careful instruction — instruction always progressive — unlocks concealed faculties of the mind which no book, no study of any book, can ever reach so easily, so quickly, and in a way that gives their possessor such a real and practical power. Hence it is that the scholar is so often amazed when he witnesses the achievements, the sagacity, the intellectual strength of self-made men — falsely called self-made; in truth they are the men of superior education by reason of the better advantages which the necessity of poverty and labor have literally forced upon them.

I begin by uniting heartily with you in endorsing the American college and the American public school — the American college and the American public school of the past, of the present, and of their well-assured future. Their fruit is their vindication. American history thus far is in large measure their triumphant result and their inspiring fulfilment of every promise ever made in their behalf.

My contention is that skilled productive labor should be taught to all the young during the whole educational period from infancy to maturity. This is to the end first — perhaps chiefly —that the habits of industry which nature kindly and wisely gives to all the young may not be lost — may not be supplanted by laziness or mere pleasure-seeking, which are the fertile parents of vice, of crime, and of misery.[1]

That Mr. Hayes was a pioneer in the advocacy of manual training is evidenced by the fact that at the time he began to urge this need in our educational system, hardly a manual training high school existed in the country, and very few common schools had been even meagrely equipped for any form of manual training.

These various and diverse interests and activities entailed upon Mr. Hayes an enormous correspondence [2] — thousands of letters each year — and the preparation of innumerable

[1] Address before the Ohio College Association at Columbus, December 27, 1892. His last public address.

[2] There are frequent references in the diary to the burden of correspondence. But only near the end of his life is there a note of complaint; as, for example: "All day writing letters, but the heap on my table is still appalling. Why do people write to me on their own affairs, and at such unconscionable length? Why not skip all but the nub and put that in the fewest words? The time is coming when I must use the waste-basket for the lion's share of my correspondence." (December 10, 1892.)

speeches, addresses, and reports. As he had never habituated himself to dictation to an amanuensis he could keep abreast of his obligations only by constant application and persistent industry. And yet he found time for regular exercise or physical effort in the open air; he kept up his investigations of local and colonial history and his genealogical studies, and he read widely not only on the philanthropic and educational topics in which he was so deeply interested, but also in the current literature of the day and in the classics of the language. And he always had time to entertain his friends who delighted to spend days or weeks under his hospitable roof.

Nor did the numerous matters already detailed exhaust the range of his employment or define the demands on his time and energy. He was in frequent requisition for participation in civic celebrations, or special public entertainments,[1] or great ceremonial occasions, or memorial gatherings.[2] At the funeral

[1] For example, he was present at the entertainment of the Toledo Press Club, March 15, 1888, and made a long address. In this he said: —

"Show me a man who reads regularly and carefully his newspaper, and I am sure that you have called attention to an intelligent and useful citizen.

"Where in our system of government does sovereignty reside? An intelligent political philosopher says: 'Here the opinion of the masses in the broadest sense of the term, the way in which they feel and think, or understand their interests, or misunderstand them, as the case may be, expressed in the greatest number of votes, is the real power of the Government.' Now, prophets of evil say that such a government must lack the conservative balance-wheel. That it is like a ship all sail and no anchor. But the true philosopher sees that the balance-wheel, the conservative force, is intelligent popular discussion. Free debate gives the field to the wise. But intelligent discussion that can reach and enlighten all minds is only possible in a land of newspapers. By the law of their being they are compelled to publish the best arguments contributed to their own side of every public contention. By the same law, their self-interest, more and more they are compelled also to publish the best presentation of the cause of their adversaries. Thus the newspaper press is becoming what all concerned in it should hasten to make it — the ideal forum of a republic, where the best that can be said on important issues is within the reach of every citizen. With this fully accomplished, we may hail the newspaper press as the life-guard of free institutions in America!"

[2] At a banquet of the Loyal Legion at Pittsburg, February 22, 1892, in responding to the toast to the memory of Washington, he said: —

"There is an accepted test by which great statesmen, generals, and rulers at last are judged. Men's deeds live after them. Results determine. The question is what did they do that benefited their country or mankind? Tried by this standard the fame of Washington is secure. With every passing year the work he did appears higher and better. More and more its unexpected and priceless value and magnitude prove to be of world-wide and beneficent influence. These

of Garfield, his steadfast friend and supporter, he was chief among them that mourned; and later he engaged in raising the memorial fund and served as president of the committee which erected and dedicated the monument in Lake View Cemetery, Cleveland.[1] He rode with Arthur near the head of the long procession that mournfully followed the corse of the indomitable Grant to its last resting-place beside the mighty Hudson.[2] In the following year he was among those who paid

results are his fitting memorial, and must be considered with special satisfaction and gratitude by all whose precious privilege it was to bear a part in the great conflict which saved and enlarged them.

"The qualities — the traits of character for which Washington was distinguished — were all solid, lasting, and of transcendent worth. He had a massive understanding, an unerring judgment, an iron purpose, unmatched courage moral and physical, a sense of honor of the purest tone, a conscience clear and controlling, inflexible justice, and an unselfish love of country that was the master passion of his soul. His advantages of person and bearing, united to his mental and moral strength, made him the typical hero of America's golden age — a figure and a character unsurpassed in dignity and majesty in the annals of our race. Let what fortune come that might to the divine cause of his country, Washington so rose above the accidents of time and chance that Destiny was bound to place him high on the roll of the world's most admired and revered patriots and martyrs, and this without regard to victory or defeat in the sublime aims of his illustrious life."

[1] He was likewise president of the Maumee Valley Monument Association which later erected the monument on the site of Fort Meigs, near Toledo, the scene of important battles in the War of 1812.

[2] "The interest in General Grant's death has been very great. I spoke twice the evening of his death, once at the Eugene Rawson Post and once at the Manville Moore Post, G.A.R. In both cases I urged in reference to a monument or memorial structure (1) prompt action while the feeling on the subject is universal and warm; (2) that the memorial be placed in New York, where General Grant last resided, and where more soldiers and citizens will see and enjoy it than would be the case in any other locality; (3) that it be built by a union effort of all soldiers' societies and all citizens in every part of the country. . . . I am to speak this evening at a memorial meeting in the Methodist Episcopal Church. Let the memorial be worthy of the Republic, worthy of General Grant, and worthy of the righteous cause of which he was the most illustrious soldier. He was simple, sincere, heroic, generous, magnanimous, of sound judgment, self-poised, and with a tenacity of purpose rarely equalled." (Diary, July 26, 1885.)

"The great day passed off well. Not hot for an August day and with a good breeze blowing. In the morning I was shown to the ex-Presidents' room, southeast corner Twenty-third [Street] and Fifth Avenue, a good place to see the passing procession. Soon ex-President Arthur came in; we met in a friendly way without any reserve or embarrassment on either side. . . .

"During the long waiting for the catafalque to reach Fifth Avenue from City Hall, [Senator] Sherman and I called on President Cleveland. Found him plain, sensible, natural — in all respects well-appearing. His talk was friendly and

the last honors to the memory of Arthur; becoming then for a time the only living ex-President. He attended the funeral of his stanch friend General Sherman at New York and was one of the party to accompany the body to St. Louis for interment and to share in the final rites. And one of his last journeys was to Indianapolis to mourn with President Harrison when the body of Mrs. Harrison was brought from the White House to find repose at Crown Hill.[1]

assuring. My favorable impressions were all confirmed. He lacks experience — is not a great man. But he intends and anxiously wishes to do well. He is firm and sensible — good qualities in a President. . . .

"At a late hour, after two or three hours of waiting, the procession passed by until our place near the catafalque was reached. We joined. President Arthur proved an excellent companion for such a drive — five hours. The procession, perhaps fifty thousand, with the lookers-on numbering more than half a million, . . . was in all respects a success. There was good order and propriety throughout. Often a very general clapping of hands as Arthur and I passed, and our names constantly heard. When the Ohio men in line were passed, they greeted me with as decided demonstrations as the occasion permitted. Only as we approached the grave was there a decided feeling of the solemnity of the occasion. The bands, as the carriages passed the soldiers in line, played dirges — the soldiers at present arms, each band taking up the sorrowful airs one after the other; the 'uncounted multitude,' the ships in the Hudson, and the whole scene were unspeakably impressive and affecting. . . . We stood on the left side of the cedar box in which the remains were secured. The G.A.R. and the M.E. ritual were used; and rapidly home to our hotel. President Arthur spoke some kind words, a hearty good-bye, and we parted." (Diary, August 9, 1885.)

[1] These are only a few of the obsequies of distinguished citizens or personal friends that he journeyed far to attend.

CHAPTER XLI

INTEREST IN POLITICAL QUESTIONS

ON leaving the White House Mr. Hayes ceased to take any active part in politics. There was newspaper talk at times that he was to be a candidate for Governor or for Congress, but it never had any basis in fact;[1] and in 1888 there were party leaders who wished to see him renominated for the Presidency, but such a possibility did not enter his thought. He felt that he had done his full share in official life; had had his full meed of public distinction and honors. He was content henceforth to be an observer of the political movements of the passing years, with their shifting centres of interest as new questions came into prominence; always, however, an intensely interested observer, and coming to be clearly conscious of the social problems created by changing conditions of industry and the prodigious concentration of wealth, which were beginning to press for solution. He rejoiced at the passage of the Civil Service Reform Law and at every victory won in the contest to overthrow the

[1] *Private* FREMONT, OHIO, 28 March, 1883.

MY DEAR SIR, — Your note of the 24th instant is before me. I have not the least objection to stating my intention as to a return to public life, and am quite willing it should be generally known. But I do not wish to publish nor to authorize the publication of anything on the subject. When I left office two years ago it was my intention not to return to public life. I have seen no reason to change this purpose and would under no circumstances accept the nomination referred to in the marked article you have sent to me. This I have said to all who have consulted me, and I think it is well understood in the State.

My chief interest in pending public questions is on the subject of education in the South — particularly for the colored people. Whatever I can do on this subject to promote favorable action can best be done out of politics and out of public life.

I am gratified by the general tone of your articles on my Administration and wish to assure you of my appreciation of them.

With best wishes, sincerely,

R. B. HAYES.

MR. ALFRED T. WAITE,
BOSTON.

spoils system.[1] He regretted every departure from sound principles in this contest on the part of the executive authority.[2] To the horror and dismay at the assassination of Garfield which he shared with all good citizens was added for him a special pang because of long friendship and intimate political association. The day after Garfield was shot Mr. Hayes wrote in his diary (July 3, 1881): —

The dreadful tragedy at Washington has occupied our thought since yesterday morning. The news this morning is encouraging. . . . The death of the President at this time would be a national calamity whose consequences we cannot now confidently conjecture. Arthur for President! Conkling the power behind the throne, superior to the throne! The Republican party divided, and defeated, — an Administration without the moral support of any of the best elements of the country, struggling to maintain itself and to perpetuate itself, with all of the

[1] "Conkling and Platt, Senators from New York, have both resigned. They expect, no doubt, to be reëlected as Republicans opposed to Garfield's Administration. It is a wretched business. They make a strong point in claiming that to remove Merritt is a violation of the President's principles as laid down in his inaugural message, and of all sound principles on the subject. The capital mistake is to attempt to build up an Administration or a party by the use of the offices as patronage. The offices should be filled for the good of the service — country first and party afterwards." (Diary, May 18, 1881.)

[2] "If the boss system is to go down, as now seems probable, I can say I struck the first and most difficult blows. It is based on congressional patronage and senatorial prerogative or courtesy. This was fully entrenched at Washington when I was inaugurated in 1877. The first step in a reform of the civil service was to break it down. As long as the lawmaking power held the power of appointment, that is, 'the patronage,' there could be no legislation in behalf of reform. Any reform was at the expense of the power of the Senators and the Representatives. The first and principal step was the appointment of members of the Cabinet. This belonged, according to the prevailing system, to the leaders of the party in the Senate. A Cabinet of independent men was organized. The Cabinet, it was claimed by the champions of the boss system, should be formed, not unfriendly to the system. The announcement of the names of Mr. Evarts and Mr. Schurz, both independent men, — both opposed by the bosses, — opened the war. Appointments were soon made in all directions, not dictated by the leaders. From that moment the Stalwart leaders and the newspapers who followed them, and the rank and file, have assailed my conduct, character, and motives with the utmost bitterness. But let the heathen rage! The good work has made great advances. The principal steps have been: (1) The appointment of the Cabinet in 1877, and the general course of the Hayes appointments without heeding the dictation of Senators and Representatives. (2) The defeat of Conkling in the custom-house conflict, which made a business institution of the New York Custom-House. (3) The defeat of Conkling and Platt, and their dismissal from public life in 1881. (4) The defeat of the bosses at Chicago in 1880." (Diary, May 17, 1884.)

worst features of Tyler and Johnson, and without some of the redeeming features of those unfortunate Administrations.

But the people are at last the Government. If they are wise, and firm, and virtuous, all will yet be well. If Arthur comes in he should have a fair trial. He should be encouraged to do well by a warm and sympathetic support as far as he is right. His letter of acceptance was creditable. But our hopes and prayers are for Garfield.

A few days later (July 8), when hope of Garfield's recovery was strong, Mr. Hayes wrote to John Hay: —

Garfield will now have a hold on the hearts of the American people like that of Washington and Lincoln. He can do any righteous and necessary work with an assured confidence of the firm support of the people. The extreme and savage partisanship which "Stalwarts" have extolled as the cardinal virtue of a public man, can now be abated. A true and genuine reform of the civil service under Garfield is possible. I trust he will see his great opportunity. If he does what he can do, this great calamity will lead to the crowning glory of his life.

And three days later he wrote to General Corbin, who was at the President's bedside: —

The President must see many things to console and sustain him in his suffering. He is now loved and revered by the people, by men and women in all sections of the country, with an affection and reverence felt only for Washington and Lincoln. The tragical event has softened partisan and sectional animosities until we are as a people more harmonious than ever before since the Revolution.

He has a power for good and wise measures and conduct such as no other President ever had. Mrs. Garfield, Mother Garfield, and his children are all embraced in the tender and supreme affection of the American people. Is not this some compensation for the agony, distress, and suspense of these last ten long and anxious days?

The following excerpts from the diary show how much Mr. Hayes's thoughts were with the patient sufferer at Elberon and on the crisis in the country's history: —

August 27, 1881.— The President is losing ground. The doctors report that he is weaker this morning than yesterday. General Drum says "there is hardly any hope." Eight weeks ago this morning he was shot. How he has suffered, and how the whole country has suffered during these long and anxious weeks!

Our mocking-bird — a fine singer — died last night. We had him at Columbus in 1876, took him to Washington where he sang in the White House during our four years there, and returned with us in March and sang his best in rivalry with the uncaged songsters of Spiegel Grove. His death is unimportant, of course, but one feels a foolish presentiment

that the death of the bird presages that of President Garfield. It is a time of universal anxiety and gloom.

August 28. — It is impossible to keep my thoughts from the President. He is very low. No doubt he is a great sufferer. We are anxiously waiting.

Conkling has been in conference with Arthur. The less Arthur has to do with Conkling, the better for his Administration if he is called to form one. He should have fair treatment. He will come in, if at all, under embarrassing and difficult circumstances. We must give him a fair trial — a fair hearing.

August 30. — Dr. Hamilton's "We are afloat and off the breakers" is likely to turn out a truthful announcement of the blessed tidings that the President has passed the crisis. My only hope last week was a blind confidence in my hopeful presentiment that he would "pull through."

September 10. — All day thinking of Garfield — of the battle of Opequon (Winchester) seventeen years ago, and how I got over the slough alive! Now, almost 11 P.M., the telegraph operator telephones to me, "We have a report from Cleveland that Garfield died at 10.30 Washington time." I replied, "I can't believe it." I do doubt it, — but I fear, I dread it. "Assassination does not change history." The march of events will go on; but it is a personal grief.

September 28. — Absent ten days attending the obsequies of President Garfield at Washington and Cleveland. Nothing could exceed the universality and depth of feeling shown by all sorts of people. It is a most unnatural crime. Mrs. Garfield is calm and quiet. General Banks says what frightens the world is, that it is an attempt to administer government by assassination. The uprising is a protest against assassination.[1]

[1] In a letter, published widely in the press at this time, Mr. Hayes found "perhaps the most important lesson" of the assassination to be the folly, the wickedness, and the danger of extreme and bitter partisanship which was aggravated by the spoils system of appointments and removals of public officers. "With the principle established by law and usage," he said, "that appointments to office are not patronage, but to be made according to merit, the class to which the wretched murderer belongs will lose its occupation and the temptation 'to administer the government by assassination' will be taken away."

Later (February 21, 1883), Mr. Hayes recorded in the diary this estimate of Garfield's qualities: "I have just read President Hinsdale's account of Garfield as a student and teacher. Here was his strength. In both capacities he was a model. He had large faculties — memory, analysis, fluency, the debating faculty; he was the best popular debater of his time. He was not executive in his talents — not original, not firm, not a moral force. He leaned on others — could not face a frowning world; his habits suffered from Washington life. His course at various times when trouble came betrayed weakness. The Crédit Mobilier affair, the De Golyer business, his letter of acceptance, and many

Mr. Hayes's comment on President Arthur's first message to Congress is evidence of his purpose to give "a warm and sympathetic support as far as he was right" to the man who had come so unexpectedly to the Chief Magistracy and whose political antecedents made all conservative people at the time apprehensive of the course he would pursue. Mr. Hayes wrote: —

I have read the President's message. It will be called "a business message." That is, it is a message made up at the Departments, with very little of the President in it. The important questions of the time are, the reform of the civil service, the Mormon or Utah question, and education at the South. He leans to the right side on all of these questions. Perhaps we should except the civil service question. On this subject he evidently has no faith in the reform, but in deference to public sentiment he yields so far as to recommend an appropriation of twenty-five thousand dollars to carry it out, and expresses a readiness to do so.

On the Mormon question he strikes in the back. He deals with it as if polygamy were the beginning and end of the affair. Polygamy is one of the evils attendant upon a system which is utterly inconsistent with our republican institutions. Utah is now governed by an irresponsible priesthood. It is a hierarchy. The Mormon Church is the government. It controls Utah and is likely if unchecked to govern other Territories which will soon become States. The remedy — the only remedy — is to destroy the political power of the Mormon Church. No union of Church and State is one of the foundation-stones of our system. Utah is governed by the Church — and such a church! Take from it political power, and it falls and polygamy with it, within five years. How to do this? The measure should be radical. Halfway measures have been tried for twenty-five years. They have failed. Let the Territorial Government of Utah be reorganized. Let all power — I mean, of course, all the power that it is deemed wise to entrust to a merely Territorial Government — be vested in the registered voters of the Territories. Let these alone hold office, vote, and sit on juries. Allow no man to be registered who does not prove affirmatively to the satisfaction of United States courts, or other United States officials, that he neither practises the crime of polygamy, nor belongs to nor supports any church or other organization which upholds it.

On Southern education by the aid of the general Government, the President is in sentiment favorable and sound; but he evidently doubts the constitutional power of the general Government to do what is required. There is no ground for hesitation for this reason. The general

times his vacillation when leading the House, place him in another list from Lincoln, Clay, Sumner, all the other heroes of our civil history."

Government has made voters of the late slaves. It is its duty to fit them — to enable them to vote. Let education be provided for them, through the States if they can and will faithfully discharge the duty, and independent of them if they refuse or fail.

On the large list of important subjects with which government deals, the message is sound and explicit. Notably so on foreign affairs, the Panama canal, the finances, the Indians, and the Southern situation. On the latter subject the silence of the message is more significant than anything the President could have said. *The question is settled.* The policy of the last Administration is acquiesced in even by the most "stalwart of the Stalwarts." [1]

Mr. Hayes watched with great interest the course of politics in 1884. This is made evident by the following extracts from the diary: —

April 19, 1884. — The elections of delegates to the Chicago Republican Convention show Blaine to be the favorite candidate. Possibly not enough so to nominate him. He is clearly in advance largely of any other leader, but may not get more delegates than all others combined. He fails in two points as a candidate. He lacks the confidence of thoughtful, high-minded, and patriotic people. They doubt his personal integrity and they think he is a demagogue. Besides, his record as a partisan places him in opposition to large elements of the party. The Stalwart element — the Grant men of 1880 — do not like him and the independent men oppose him. He is, therefore, not the most *available* man, and not the *best* man named for the office. Either Edmunds, Lincoln, or Sherman would be a better President, and a better candidate.

[1] Diary, December 10, 1881. — Compare the following excerpt from a letter to William Henry Smith, of December 14, 1881: —

"In politics, it is observable, I think, that the President moves with great caution. This is the feature that strikes one in his message. When he leans to the right side, as on Mormonism, education at the South, etc., etc., he is timidly careful to make no decided or distinct committals. He is almost Van Burenish in noncommittalism. And when he leans to the wrong side, as on the civil service question, he is even more careful to avoid decided expressions. Perhaps in the present prosperous condition of the country this caution is politically wise. We want to be let alone. King Log is not a bad king sometimes.

"I look upon these three as the real questions at this time: The civil service, education at the South, and the Mormon hierarchy. On all of them it seems to me the time has come for decided, comprehensive, and radical measures. The civil service is likely to have attention enough. Southern education should be aided largely, liberally, efficiently, and promptly.

"The Mormon Church should be deprived of its political power. It is idle to waste time on one of its minor incidents — polygamy. That will fall the instant that the priesthood lose their political power. No man should vote, hold office, or sit on juries who upholds the union of Church and State which nourishes the vices and despotisms of Utah."

He does not belong to the class of leaders of whom Hamilton, Jefferson, Clay, Calhoun, Seward, Lincoln, and Webster are types. He is of the Butler and Douglas type — more like Douglas in character and position than any other of the great leaders of the past. Clay would rather be right than be President. Blaine would gladly be wrong to be President. I still hope Edmunds may be the nominee, or Lincoln, or Sherman.

June 8. — The event of the week is the nomination of Blaine at Chicago. Mr. Blaine is not an admirable person. He is a scheming demagogue, selfish and reckless. But he is a man of ability and will, if elected, be a better President than he has been politician. He will, I think, try to have the support of the best people, and to make a creditable record. I will, therefore, support him in preference to the Democratic candidate. He was fairly nominated. The Republican masses were for him. There is no suspicion of machine influence as the means of his nomination.

July 12. — The Democratic nominations at Chicago are Cleveland and Hendricks. Cleveland will be satisfactory to the independent Republicans. He will draw also from the Germans. However, they are to be classed as independent Republicans. The result depends on the Irish, and Tammany bolters from the nominations. If they generally support the ticket, it is likely to be elected. Cleveland will, I suspect, be weakest at the beginning of the canvass, and gain as it proceeds. This, without having seen any indication of the reception the result has in the public mind.

November 11. — There has been little genuine enthusiasm for Cleveland in this region. Indeed, I may say, none at all. The dark blot on his private life does not imply his entire unfitness for his public life. Many a man is blamable in the same way who is upright and patriotic. But the facts, taken altogether, have been a wet blanket to his supporters. The nomination of Blaine was unwise. Either of the Shermans, Hawley, or Gresham, or Harrison, would have probably been elected.[1]

[1] Mr. Hayes had gone to Cincinnati on election day. The next day he wrote Mrs. Hayes: —

"It now seems probable that Blaine is defeated. With all the disappointment one can see some compensations. It turns out, not as we hoped, but as we feared at the time of the nomination. The record of our candidate and factional griefs in New York lost that State. Look at Oneida County — the county of Conkling, where Gail Hamilton's letter (exposed in the *Evening Post* a short time ago) did such mischief. Indeed, her letters in the *Tribune* hurt more than the number of votes we lack in New York. I dread the turning back of the hands of the clock in the Southern business and in the reform of the civil service.

"I am glad Ohio has done so well. But, after all, the march of events will go on. Our destiny does not depend on a single election, nor on any number of elections. You will see *other* sources of consolation."

November 13. — I wrote as follows to my old college chum, Guy M. Bryan, of Texas: —

"I have no prejudices against Cleveland. The scandals of the campaign were shocking. In naming a candidate there should be greater care. But you and I know — all men of experience and observation know — that the kernel of truth under it all does not disqualify him for public duties. It is within the knowledge of us all that integrity, firmness, wisdom, and the executive faculty, with the truest patriotism, are found in men who are not without that sin. Certainly I am in a frame of mind to judge him charitably and to give his Administration a fair trial. He is pledged to the right side of the most important administrative policy now before the country, namely, the civil service reform. He will have a decided majority on this question in the important branch of Congress with him and can easily go forward in the right direction.

"The Republican party is not condemned. It has its old strength. Both parties were divided by their nominations. The Republican divisions by a mere scratch in the pivotal State lost the prize. It gains in both houses of Congress; it carries the Senate and would tie the House if the apportionment in this and other States was fair. The constitutional amendments, if obeyed, would have given us four to six States in the South, and carried the Presidency.

"But it is of no use to argue; the stream of time flows on; the march of events will not be greatly changed. The people are the Government. Their character does not change with the results of elections. Years and generations are required to change the people. I hope you are for aid to education in the States by the nation. It seems to be our best chance to bring up the neglected elements of our population. This is a longer talk than usual on politics. Like you, I am a looker-on except as to education. On that *I am persistent*, in and out of season, before all sorts of audiences.

"Your trouble is mine — acres, taxes, meagre income; but lands will sell sometime. I do not borrow trouble because just now real estate is dull of sale."

New York, December 10. — Called on Schurz at the elegant residence of Dr. Jacobi, 110 W. 34th Street. A long, good conversation on politics. He read me an elaborate letter he has written, on request, to the President-elect. It asserts civil service reform to be the test measure of the new Administration; that to carry it out Cleveland must have in his leading Cabinet places men who will be sincerely honest in its behalf. I told him there was the practical difficulty; — there are not such men of good standing in the party. To this Schurz assented. Then *pledge them* to its loyal support. ? ? *Here is the rub.*

March 4, 1885. — Inauguration day. I am pleased with Cleveland much better than a majority of his party seem to be. His letter on the

eighty-five-cent silver dollar is sensible and well put. It is against the grounds taken by a majority of his party. It is a sound and bold act. He appears to be faithful to his committals on the subject of a reform of the civil service. I am hopeful that he will prove a good Chief Magistrate.

March 23, 1885. — Heard of the President's appointments to England, France, etc., etc. I like Phelps, Pendleton, etc., etc. The President is doing extremely well, and deserves the support so far of the people of all parties. I no doubt like him better than the majority of those who elected him. He is sound on the currency, the tariff, and the reform of the civil service.

Mr. Hayes consistently maintained toward Mr. Cleveland the attitude indicated by his quoted words, though he did not approve of all his actions, especially in regard to pensions, and did not relax in the least in his devotion to the Republican party and in his desire to see it restored to power. Any suggestion of himself as a possible candidate in 1888 he deprecated. The course of his thought in the campaign of that year and the period preliminary to it is sufficiently indicated by the following entries in the diary: —

June 8, 1888. — Governor R. B. Bullock having sent me a newspaper in which he speaks favorably of me, of my Administration, of Mrs. Hayes, and of my availability as a candidate for President in 1888, I wrote hastily as follows: —

Confidential. FREMONT, OHIO, 11 July, 1887.

MY DEAR GOVERNOR, — I thank you for the copy of the [Atlanta] *Constitution*, and am greatly gratified that you can speak in a way so complimentary of my public conduct.

It is not necessary, I suppose, to assure you of my settled purpose not again, under any temptation, to take part in public life.

My preference for our next candidate is Mr. Sherman, and under no circumstances would I consider it. The action of both parties in 1880, and the result of the election of that year, afforded ample recognition of *my* title and of the acceptability of my Administration. The Democratic party, if they would insist upon the fraud issue, were bound to renominate Tilden. Their failure to do it was a confession of judgment on that question. Besides, they *did* nominate Hancock, who was openly and decidedly against the fraud issue, and personally and officially friendly to me. On the other hand, the Republican party took bold ground on the fraud issue. Senator Hoar presided over our convention. He was one of the Electoral Commission.

The convention nominated for President the public man who, of all others, was most closely identified with the decision in my favor, and

against Tilden. He was a "visiting statesman" to Louisiana and reported to me, and the President, and the country that Louisiana in equity and law belonged to the Republican column. As one of the Electoral Commission he insisted with vigor and determination on every step that led to the final result, and voted with the eight (8) who decided the contest in my favor. Had he voted otherwise the issue would have been different.

The Democrats made the point against Garfield. Tilden himself in person urged it in public speech and in letters. The people in New York, Connecticut, and Indiana reversed their vote of 1876 and decided in our favor. This is sufficient endorsement.

I have never had any misgivings about 1876 since the facts were fully known. We were equitably entitled to more States than were counted for us and to a decided majority of the popular vote. But this is ancient history. Your kind words are very grateful to me. I can say positively that I am content. I tried to do well — to benefit the whole country by restoring the old-time good feeling between South and North. I think something was accomplished.

Sincerely, your obliged friend,

R. B. Hayes.[1]

Governor Bullock.

The nomination of Cleveland and Thurman at St. Louis is announced. Thurman's nomination hurts the Democrats in the doubtful State of Indiana. Is, therefore, *perhaps* not "good politics." But it is pleasant to see that his independent and honorable course in the trial of the ballot-box frauds at Columbus has not driven Judge Thurman from his party.

June 22, 1888.— I am interested in the success of Sherman at Chicago. A noble President he would make. It is probable he would prove also available as a candidate because he is fittest. The others named are good men; Harrison, Depew, Allison, especially so. The three ballots place Sherman ahead, 249. No other over about 130. But this proves little.

[1] "We had a good visit last week from my old friend and stanchest and most efficient political supporter, Hon. William Henry Smith, the chief manager of the Associated Press. . . . He is working up the almost desperate struggle against Blaine's second nomination. He prefers Sherman and is very hopeful of victory for Sherman. But failing that will take Sheridan, Harrison, Gresham, Hawley, or anybody to beat Blaine. It still looks to a calm outsider (to wit, your paternal) as if the Plumed Knight can get the nomination if he wishes it, and as if his friends will find it not difficult to persuade him that a second race is necessary for his vindication. No doubt Mr. Cleveland's free trade message has brightened Republican prospects. For more than twenty years existing legislation has enticed capital and labor into manufactures. This is especially true of these last few years. To strike them down now at a blow looks like cruelty and bad faith. It will hardly be done." (From letter of Mr. Hayes to his daughter, December 18, 1887.)

June 24. — The Republican convention adjourned until Monday. Depew withdrew in a handsome speech. On the last ballot yesterday Sherman was still slightly ahead — 224 to Harrison's 223 or 213. New York went to Harrison for the most part. General Harrison would probably be a good candidate — possibly the best. — Possibly a very excellent candidate. His ancestry would tell; he is a soldier; he is in a doubtful State; his civil record is good; he is a firm, sound man; his personal character is clear and high.

The danger is Blaine. After his letters to nominate him would be a mistake. The acceptance now would seem like a trick. The charge of a lack of sincerity and integrity would stick worse than ever.

June 25. — Read quite fully the proceedings at Chicago. While I think it very unwise to nominate Blaine again, those who wish it at Chicago have certainly thus far acted with good sense and entire fairness, so far as I can see. They seem to give all opponents a fair hearing, and to aim to nominate their favorite only when it is shown that no other can get a majority. If to this they add the condition that all other candidates or their friends consent to his nomination, I do not see but he is relieved from all committals to the contrary, and may be supported heartily by all Republicans.

If McKinley is nominated it will be in order for me to congratulate him with "We're tenting to-night on the old camp ground." [1]

Harrison nominated on the eighth ballot. Majority large. He is received here with much satisfaction; yes, with enthusiasm.

June 26. — The Harrison and Morton nominations are sound politics. They are likely to be very popular and strong. Enthusiasm will begin

[1] "In the evening with Fanny attended an army song festival by the Presbyterian Church at Opera Hall. . . . I was constantly reminded of Lucy. The 'Tenting on the Old Camp Ground' recalled so vividly the night of election day in 1875. Sitting with her in our home in Spiegel Grove, waiting for the returns, we *said* we were prepared for either event. I told her the contest was close, the result doubtful. She spoke cheerfully of the way we would bear defeat. 'Our personal interest in it was less vital than the cause,' etc., etc. We both knew well enough that victory meant the chance for the Presidency; the *certainty* that Ohio would present my name. Defeat meant retirement and obscurity. The first return was a dispatch to Lucy from Elyria indicating that our stronghold, the Western Reserve, was fully aroused and would give an old-time, war-time majority. Then two townships of Sandusky County gave encouraging gains; then from the southwestern part of the State a ward or township came in with the same drift. There was a lull of a few minutes when from the southeast, from Marietta, from Major Palmer, of the gallant old Thirty-sixth, came a dispatch which without figures filled the cup. It read, 'We are tenting to-night on the old camp ground.' That song has been full of pathos for Lucy and me always, but since that dispatch that night I never hear it without deepest feeling. And now alas! Lucy gone!" (Diary, October 23, 1889.)

in Indiana, a partisan State, usually close. The people give much time to politics. Harrison will stir them up. Great meetings will be held. The spirit will extend to other States. A lively campaign all over, with the chances pretty even, but inclining to the Republicans.

June 27. — I wrote to-day to Sherman as follows: —

"My dear Sherman, — You know how I and Mrs. Hayes and all of my household feel about the result at Chicago. We like Harrison, of course, and think the ticket 'good politics,' in the sense of availability. But you were so clearly entitled to it by service and fitness, and our personal feelings were so enlisted that we cannot think of it without great disappointment. I try to find comfort in the reflection that it has become usage in our country that the man of great and valuable service in *civil* life must be content to leave the Presidency to the less conspicuous and deserving. In this case the one fact that Indiana was doubtful and Ohio sure compelled the adverse decision. The first statesman of the land can't be nominated when this consideration is not in his favor, if the contest is close. . . ."

I write to Major McKinley in part as follows: —

"My dear Major, — I congratulate you heartily. Depew behaved handsomely. He left the convention with enhanced reputation. But who else was so fortunate? You gained gloriously. The test was a severe one, but you stood it manfully. It was finely done. A better crown than to have been nominated.

"The old story was reënacted. . . .

"There were ambitious men near you at Chicago. That of course. Men in political life must be ambitious. But the surest path to the White House is his who never allows his ambition to get there to stand in the way of any duty, large or small. The man who is guided by ambition alone, who acts from policy, 'cannot somehow sometimes always tell.'

"My old friend, Judge Johnston, used to say, 'The Presidency is unlike the Kingdom of Heaven, — those who seek shall never find.'

"Since 1868, twenty years ago, [Republicans] have not been so united as they are now.

"I could not help telling you how my young hero looked to his old friend at a distance."

June 29. — Harrison and Morton seem to please in all quarters. No such unity among Republicans in the support of any ticket since 1868, twenty years ago. In 1872 Grant's unfortunate Administration had alienated thousands — Greeley, Sumner, Depew, and a host. In 1876 the hard times and the Greenback craze took off thousands, making Ohio even and other Western States doubtful. Besides, Conkling's disappointment sent him to his tent in a fit of sulk. In 1880 again Conkling was sullen and hostile with his Stalwart followers until the canvass was nearly finished. Besides this, Garfield's record — Crédit

Mobilier, De Golyer, etc. — was a load. In 1884 Blaine's record drove off thousands. Now *all* are *content*, at least with Harrison, and most are enthusiastic.

November 9. — Went to Cincinnati via Toledo after voting at 9 A.M. Rain fell during the day beginning early. *Called* a Democratic day for election. I protested that the Republicans were quite as energetic as their opponents, and that the weather would not hurt. It so turned out. I read the "Life of Lincoln," by Stoddard, on the cars. Rode in a coupé to my friend's home — Dr. Davis. . . . [In the evening] went to the office of the *Commercial Gazette*. Met there Halstead and Boynton. Both hopeful, and the returns seemed to lean our way. Thence to the Lincoln Club. Admitted by strangers without a ticket on giving my name. With many friends — Mayor Smith, Mack, Noyes, etc., etc. — gossipped over the returns. A mass outside anxious but hopeful, waiting for definite results. It became noised outside among the multitude that I was inside. Calls began. They grew more frequent. The notion, I suspect, prevailed that I hesitated to show myself until a certainty was reached. At any rate, when I appeared finally at the window my appearance was hailed with a shout from the "sea of upturned faces" that was indeed the shout of victory. I never before saw or heard anything like it. I soon went home to Dr. Davis's well satisfied that the result was with us. Before going I spoke to the members on the introduction of Governor Noyes in their assembly. . . .

Awoke at early daylight. I listened anxiously to hear the cries of the newsboys. I soon recognized: "All about the election of General Harrison." I rose hastily and went out in the rain. Soon got a *Post* and *Enquirer* which confirmed the newsboy's cry. I returned in a grateful frame of mind. "How good," "How good," I murmured to myself. Such is government under our system. The best and decentest election I ever knew. I recall distinctly, boy and man, elections for more than fifty years, from 1836 when I was a schoolboy at Norwalk Seminary. With a good deal of respect for Cleveland, and with sympathy for his young wife, I cannot but *specially* rejoice that such good people as General and Mrs. Harrison are to carry their clean ways and pure lives into the White House. Besides, I do hate Cleveland's course towards the veterans of war!

Almost immediately after the result of the election was known, letters from all sorts of people who were "anxious to serve their country," as Mr. Hayes puts it, came swarming to Spiegel Grove, beseeching Mr. Hayes to say a good word to Mr. Harrison in behalf of the writers. To most of these he replied very briefly. When he knew men to be worthy and competent he was glad to write letters to that effect and to commend them to favorable attention. To one man in the consular service, a good

officer whom he had himself appointed, who was not satisfied with such a letter and wrote him a petulant complaint, he replied: —

. . . I am asked by a host of others to request the President to appoint them. They say, as you do, without a moment's thought, "*This you can easily secure me.*" Many of those who ask this are old friends, army comrades, and persons known to me to be worthy. To grant their demand would be to treat with disrespect the President, and to put myself in the absurd attitude of assuming the appointing power of the Executive!

All I do is to give a testimonial as to the fitness of the applicant, and to recommend his appointment. . . .

To continue the excerpts from the diary: —

March 4, 1889. — The President and Mrs. Cleveland have in their personal conduct, so far as I know, behaved with discretion, modesty, good nature, and good sense, with possibly one exception. For them it is no doubt well to leave the high place now. Those who are in such a place cannot escape its unfortunate influence on habits, disposition, and character. In that envied position of power and distinction they are deferred to, flattered, and supported under all circumstances, whether right or wrong, or wise or foolish, by shrewd and designing men and women who surround them. Human nature can't stand this long. If the President and his wife are to return to private life at all, it is better to do it at the end of four years. A longer life in the artificial and hothouse atmosphere of the high station would leave an impress which would color unfavorably all of their later years. Now Mr. and Mrs. Cleveland can escape the tendencies, and in due time become again good, and, I hope, happy citizens.

March 13. — The President makes a mistake in turning the appointments over to the Senators and Representatives. They will use it to pay debts. It is a return to the spoils system.

November 5. — The election day in many States. . . . The Democrats seem to be in the best condition. There is the usual dissatisfaction to weaken the party in power by reason of the spoils doctrine; then, the dismissal of Tanner hurts with the soldiers. Governor Foraker leans too much towards the boss system and spoils system. He is injured greatly by this. He is brilliant, witty, eloquent, and very popular with the hurrah boys, but the sober and conservative element of the party dislike his methods and would be glad to see him run behind the ticket. Some want him beaten, and votes will be lost. I hope we shall carry the State, elect Governor Foraker and the whole ticket, securing the Senator, etc., etc. But I am not at all confident.

November 6. — The Democrats seem to have carried everything. If the reports of this afternoon are correct they have the state ticket and Legislature as well as the governorship. It was anticipated that Foraker would be beaten, but it was hoped that the state ticket and Legislature might be saved. It is useless to spend time on causes. They are easily seen. Rutherford [his son] suggests one consolation for this household — "It leaves you the only Governor ever elected for a third term!"

November 8. — The Democrats celebrate their victory to-day. Our gifted and brilliant Governor is very enthusiastically supported by the strong party men. He is an extreme partisan, and those who are like him in this respect stick to him. But, as often happens with such men, he is unpopular at the polls — more so than Blaine; as much so as Conkling would have been in a state or national election. He is lacking in sober judgment. His partisanship blinds him — makes him an unsafe leader; and his bitter sarcasm excites a corresponding animosity against him. It was unwise to run him a third time.

March 27, 1890. — The Administration does not make appointments hastily. Great care taken by the President. Not always happy in the way of doing it; a lack of tact, perhaps,[1] but conscientious and judicious.

November 4. — This is the day of the general election. I anticipate Democratic gains, a Democratic Congress. The first election of importance after a new President is affected by the disappointments of office-seekers, and the other failures to meet extravagant hopes. In this case also the new tariff law, the McKinley Bill, is easily misrepresented as increasing the cost of all goods. On the whole, all that is saved in the general disaster is gain. But we shall see. For McKinley himself, defeat, if it comes to him, is no serious disaster. The sober second thought will perhaps elect him Governor! The see-saw of political life is to be counted on.

June 5, 1892. — Blaine resigns from Harrison's Cabinet — bad relations between Blaine and Harrison; more important, between Mrs. Blaine and Mrs. Harrison. Now a fight for the nomination at the Republican National Convention, the 7th! There may be enough division and hostility to defeat the Republicans. It clouds their prospects for the time. Probably the only chance is to drop both Blaine and Harrison and combine on Sherman, McKinley or — ? Blaine's former conduct,

[1] This lack of tact is again referred to in a letter to General Force (December 20, 1891): "I send you a note to President Harrison, a good man and a good President, but with an unfortunate lack of tact and good-natured manners. His coldness and indifference when meeting strangers is sometimes offensive. A friend of his about to introduce to him some nice people, ladies and gentlemen, said to them: 'Don't think he *means* to insult you; it is his way!' I never happened to notice an extreme case of this sort — but, etc."

with this, will carry many Republicans into opposition if he is nominated. Insincerity and lack of honesty, in the opinion of many good people, will injure Blaine if he is in the race. He is popular, very, but lacks the confidence to command support with the thoughtful and conservative.

June 10. — Half-past four P.M. Telephone from the *Journal* office that Harrison was nominated on the first ballot. This is well — perhaps the best possible under all the circumstances. It gives Blaine a very black eye. He came into the fight when he was honorably bound to keep out. He had the support of almost all of the unscrupulous bosses, Platt, Quay, Foraker, Clarkson, etc., etc., etc. Harrison represents the best elements of the party. I hope McKinley has borne himself, as I am confident he has, as a man of honor should. Judge Lucius B. Otis, formerly a partner of Uncle in banking here, for thirty or forty years a capitalist of Chicago, is visiting at Aunty Miller's. He thinks Harrison is not a popular candidate. "He is a deacon in the Presbyterian Church. They are never liked by the people. They are stiff, cold, distant. They are the elect of God — by faith, not works, to be saved, etc., etc."

November 8. — Election day. The lack of interest continues. Whether Harrison or Cleveland is in doubt. If a full discussion had been had, I think Harrison's reëlection would have come with the vote of every Northern State. As it is, it seems to me the chance of Cleveland is the best. The country can stand it.

November 9. — The election is reported "a landslide"! Even Ohio is claimed by the Democrats. As I see, both candidates lack personal popularity. Neither excites enthusiasm with the active men in politics, the workers. This has led to the most lethargic canvass ever known in a Presidential contest. This is explanation number one; for in such a canvass the Democrats always have the advantage. The saloons can rally out the ignorant elements, so large in the Democratic party. Second, the outs always have the better chance. Third, and chiefly: The labor vote, holding the balance of power and better organized than ever before, joined the Democrats. This is shown by the vote of the large cities — Boston, Brooklyn, New York, Chicago; and, in Ohio, notably Youngstown and Mahoning County, Canton and Stark County, Newark and Licking County, Akron and Summit County, and Cleveland. They evidently thought they did not get their share of the profits of their labor by an increase of wages — the argument of Governor Campbell, shrewdly and persistently urged: "Where is the workingman who gets an increase of wages and better employment under the McKinley Bill?" Workingmen saw the capitalists going to Europe to spend the fortunes acquired in America, while labor was not in an equal degree benefited by protection. So labor, holding the balance of power, threw its votes in favor of a change.

How about the future? At the next general election, with a free trade or revenue tariff enacted by the Democrats, will Governor Campbell ask: "What laborer gets better wages by reason of the new law?" or will it be Governor McKinley that will repeat that question with an emphasis that will win back the balance of power? [1]

These citations from the diary indicate that Mr. Hayes never lost his grasp of political conditions and forces. He was acute in observing the drift of public opinion and in forecasting probable results. The very day after the election of 1892 he seemed to have prescience of what was to happen in 1896.

It remains to say a word about Mr. Hayes's attitude toward certain large questions of political and social import. He believed that it would be to the advantage of all concerned if Canada, in an altogether amicable manner, could be made a part of the Union. There was much talk of such a possibility from time to time on both sides of the line, but never enough sentiment in its favor to make it more than a dream. Mr. Hayes gives his thought on the subject in his diary (May 25, 1879) in this paragraph: —

The annexation to the United States of the adjacent parts of the continent both north and south seems to be, according to the phrase of 1844, our "manifest destiny." I am not in favor of artificial stimulants to this tendency. But I think I see plainly that it is now for the interest of both Canada and the United States that properly and in order, and with due regard to the feelings of Great Britain, the two countries should come under one Government. If it were known that we would probably pay the whole or part of the Canadian debts, or would assume to pay them, would it not stimulate the feeling in favor of annexation in Canada?

On the very day that this was written Mr. William Henry Smith happened to be a visitor at the White House. He wrote at the time a memorandum of his conversation with the President. In this he says: —

I find that the President is full of the question of annexation and would like to bring it about during his own Administration. He is doing everything that is proper to have the question fairly considered

[1] "The election: the wonder is the landslide was not more sweeping. The Democrats, I believe, carried just half of the States!" (From letter to William Henry Smith, November 20, 1892.)

by the thoughtful men of the two countries, and is keeping up a pretty active correspondence. He counts on the influence of the heavy debt which Canada has, and the increasing migration from one [country] to the other. His plan is for the United States to assume the debt, and for our people to push into the Red River country and thus americanize that portion of the country from Lake Superior to the Pacific. This is being done rapidly, and whether in the time of this Administration or of the next, it is soon to be. I told him of the efforts of the present [Canadian] Government to keep the people of Manitoba loyal through the press, of which I became aware some months ago. The Prime Minister had purchased press and all material needful for a plant, and supplied money to the extent of twenty-five thousand dollars to put the paper on a paying basis. His agent had called on me for assistance in the way of obtaining news and correspondence.

The President believes that, when the conditions are favorable, negotiations can be successfully opened with the British Government. When he heard that the Duke of Argyle was coming to visit the Marquis of Lorne, he invited him to the Executive Mansion, but unfortunately the state of his health is such [that] the Duke felt constrained to deny himself. Already Secretary Evarts has been invited by the Marquis to meet the Duke at the Canadian capital, and he has accepted. Secretary Evarts is not as sanguine as the President.

While, of course, nothing came of this ambitious enterprise, Mr. Hayes adhered throughout his life to his belief in the desirability of its ultimate consummation and frequently recurred to the subject in conversation with friends. He believed that coalition would bring to the Union an added conservative force; and would result for Canada in vastly more rapid development and vastly greater prosperity.

Mr. Hayes continued to the end of his life to believe that a single Presidential term of six years, to provide for which he had in his inaugural address recommended a constitutional amendment, would be a most desirable reform. In the last year of his life he wrote the following letter: —

SPIEGEL GROVE, FREMONT, OHIO, 27 May, 1892.

MY DEAR MR. CURTIS, — I have long had it in mind to write to you in behalf of a single Presidential term of six years, and to urge you to make it the special aim of the National Civil Service Reform League.

This letter will be hastily written, but the suggestion I offer has been maturely considered, and is my deliberate opinion, after such reflection as I am able to give. A few days ago I read in the *Civil Service*

SPIEGEL GROVE IN WINTER

Record your excellent address at the April meeting in Baltimore. The society by pegging away is gaining step by step. But here is an opportunity. The country is ready for it. It will give the society prestige for all its other issues. Receiving Mr. Eaton's article in the *North American* for June this morning decided me to delay no longer. *Nothing* is more in the way of the reform of the civil service than the President's natural desire to have the indorsement of a second term. I respect Mr. Cleveland. He is sound, independent, and firm. I do not hesitate to speak well of him on all occasions. But his last two years — well, to be moderate, did not strengthen the reform of the civil service. He fell a victim to the necessity of a reëlection. The society you are at the head of is doing good, but it does not attract new supporters to the cause as it would do with the salient issue of One Term for the Presidency. Please think of it. I see reasons in all directions as plenty as blackberries. But I will spare you the list.

I am tempted to add a word of criticism on one sentence in your address. It is not of great importance and the statement was probably a passing inadvertence. You speak of the use of patronage by the President in elections. You say: "There has been no Administration since that of John Quincy Adams which has not done the same thing." Always an admirer of John Quincy Adams and of his public career, I am yet persuaded that while he *personally* never turned his hand over to get promotion, he was no more clear of offense in that direction than myself. And if you speak of those under him, his Cabinet and other officials, high and low, I am satisfied that they interfered in elections more than those under me. It is *certain* he did not do half as much to prevent it as I did. I can speak of one locality and you must know of another. My files of newspapers show that officeholders were in force in the Adams Convention in State and country in 1828; they also show that in 1880, for the first time since party government began, they were conspicuous by their absence from all party caucuses. How was it in the *pivotal place under your eyes* — New York City? Did Adams officeholders show less activity in machine work than Collector Merritt, Postmaster James, and Naval Officer Burt? But I am boring you. — Sincerely,

RUTHERFORD B. HAYES.

HON. GEORGE WILLIAM CURTIS.

In regard to temperance Mr. Hayes believed that for the individual, in this country at least, the only absolute safety lay in total abstinence.[1] He sympathized with the main purpose of

[1] In July, 1891, in response to a request from Mr. John A. Bruce, of Glasgow, who was preparing a publication, to be entitled *Why I am a Teetotaller*, Mr. Hayes wrote his views as follows: "Whatever may be true in other countries, I am satisfied that in America total abstinence from intoxicating liquors is the only safety. No doubt there are some men in the United States who can drink

all temperance workers, though he disapproved the intemperance of speech that often marred their oratory. In his view, the cause was best to be served, not by the activities of a separate political party, but by dependence on moral and religious forces. He regretted to see the tendency of the Methodist clergy and church to identify themselves with the Prohibition party, believing that they would thereby weaken their influence in the cause of righteousness. "To invoke the spirit of party, and to adopt the methods of practical politics in behalf of religion or temperance, tends to increase and spread the evils of intemperance and to weaken and destroy the power and influence of religion." [1] The true methods of promoting temperance, he said, "are education, example, argument, and friendly and sympathetic persuasion. Legislation and political parties in the interest of temperance all aim at the liquor-seller. They do not reach his customers. If he is a criminal, what is the man who tempts him? If there are no customers there will be no sellers. . . . The only laws which apply to the subject are laws to prevent nuisances. When the liquor business becomes a nuisance it is not a question for temperance people merely, but all citizens become interested in removing the nuisance. The legislation required in such cases, therefore, is not temperance legislation, not legislation in the interest of temperance reform merely, but legislation in the interest of good order, for the suppression of crime and violence, and such legislation may well be left to the sense of duty and self-interest of the community at large." [2] Until by the process of education an overwhelming public opinion condemned the buyer as well as the seller of liquor, he saw that prohibition must be a failure.[3] In 1883, therefore, he

in moderation without injury to themselves. But the majority will suffer serious injury and many will be ruined by the habit. No man can know beforehand that he can remain a moderate drinker. For Americans, with their nervous and excitable temperament, and with its tendency to excess, there is, in my opinion, no halfway house between total abstinence and danger. I have tried total abstinence. It has never interfered with my health or happiness or comfort, but has beyond question always promoted them."

[1] Diary, August 27, 1881. [2] Diary, October 12, 1881.

[3] "Statutes which embody the settled public opinion of the people who enacted them (and whom they are to govern) can always be enforced. But if they embody only the sentiments of a bare majority, pronounced under the influence of a temporary excitement, they will if strenuously opposed always fail of their

refused to vote for the prohibition amendment to the state constitution. "The amendment," he said, "would be something worse than a dead letter. Its effect would be free trade in liquor." [1] In his earlier life he had hope and faith in the Maine law and was zealous in its behalf. But observation and experience had demonstrated its lack of efficacy. It was useless to blink the facts. "It is in the long run the demand that brings the supply. Where there are no buyers there will be no sellers. Where there are many buyers there will be sellers in spite of your laws. To the vice and crimes of drink you will add the crimes of law-breaking, of perjury, of hypocrisy, of meanness!" [2]

Mr. Hayes was never greatly impressed with the merits of the agitation in favor of woman's suffrage. He wrote in his diary, April 27, 1870: "My point on this subject is that the proper discharge of the functions of maternity is inconsistent with the like discharge of the duties of (the political duties of) citizenship." Society should take note of the widening scope of women's activities and adapt its educational system to meet the demands that were thus created. His attitude is sufficiently defined by the following statement: —

> In America the opportunities, the work and the influence of women grow wider and wider. Whether we like this tendency or not, we cannot fail to see it. We ought to recognize it in the training of our girls. The weak point in female education in this country is the neglect of health. We have too much bending over books and too little open-air exercise — too many studies, too little work, and too little out-of-door play.
>
> My wish for the American woman is that she may always be an elevating influence — man's inspiration. Let him go forth to duty while she weaves the spell which makes home a paradise to which he may return, ever welcome, whether he is victor or vanquished.
>
> RUTHERFORD B. HAYES.
>
> SPIEGEL GROVE,
> 10 November, 1890.

During the last few years of his life Mr. Hayes was profoundly interested in the social problems which began to press for solution. The growing unrest of the laboring masses, flaming forth

object — nay, they are likely to imperil the cause they are framed to advance." (Diary, February 17, 1882.)

[1] Diary, October 9, 1883.

[2] Diary, November 5, 1889.

at times in the violence of strikers and in the preaching of socialistic and anarchistic doctrines, and the tremendous concentration of wealth in a few hands, with the heartlessness and arrogance frequently displayed by exploiters and capitalists, were evidence to him that society and government must busy themselves in bringing about a larger measure of social justice. "A few get more than their share; the working, productive many get less than their share," he wrote, November 6, 1887. "That is the corner-stone fact — is the evil to be prevented in the future by peaceful and lawful means. Of course, lawlessness and violence are to be put down. Order and property are to be preserved." [1] A few days later (December 4, 1887) he writes in the diary: —

In church it occurred to me that it is time for the public to hear that the giant evil and danger in this country — the danger which transcends all others — is the vast wealth owned or controlled by a few persons. Money is power. In Congress, in State Legislatures, in City Councils, in the courts, in the political conventions, in the press, in the pulpit, in the circles of the educated and the talented, its influence is growing greater and greater. Excessive wealth in the hands of the few means extreme poverty, ignorance, vice, and wretchedness as the lot of the many. It is not yet time to debate about the remedy. The previous question is as to the danger — the evil. Let the people be fully informed and convinced as to the evil. Let them earnestly seek the remedy and it will be found. Fully to know the evil is the first step toward reaching its eradication. Henry George is strong where he portrays the rottenness of the present system. We are, to say the least, not yet ready for his remedy. We may reach and remove the difficulty by changes in the laws regulating corporations, descent of property, wills, trusts, taxation, and a host of other important interests, not omitting lands and other property.[2]

[1] In a speech on St. Patrick's Day, 1886, in Toledo, at a banquet of St. Patrick's Institute, Mr. Hayes said: "The ideal community for a free government in one in which all are educated, in which all are or have been workingmen, and in which all are or can be owners of homes. In America, as we approach this ideal condition the foundations of our institutions grow stronger. As we drift away from it they are more and more imperilled. As long as the workingman can indulge a reasonable hope that by industry, temperance, and frugality he can become the owner of a home, educate his children, and lay up a competency for his support in old age, our country will continue to be the land of the free. Whatever stands in the way of this stands in the way of the perpetuity of freedom in America."

[2] "The real difficulty is with the vast wealth and power in the hands of the few and the unscrupulous who represent or control capital. Hundreds of laws

Among the papers of William Henry Smith is preserved a contemporary report of a conversation he had with Mr. Hayes a few days after the above words were written. Mr. Hayes told of being in New York a few weeks before, during the Henry George mayoralty campaign, to attend a meeting of the Peabody Fund trustees. He had been surprised and pleased to find that several of the most eminent of these trustees were in full sympathy with the George movement, or at least with the ideas that lay behind it. Among these were Robert C. Winthrop, personification of Puritan culture and New England conservatism, who saw in it "a protest against the wrongs that had grown up and were now threatening the life of the Republic"; Chief Justice Waite, who commended it, because, he said, "The dollar is too much regarded; character and humanity too little," and cited the case of the recent looting of a prosperous railway by unscrupulous capitalists; and Bishop Whipple, who declared: "I can think of nothing else. I lie awake nights with this question constantly in mind, and uncertain of the right solution. There are great inequalities in society; suffering and deprivation on the one side, and luxury and unjust, dangerous power in the hands of a few. There is an awful responsibility resting upon this generation." Mr. Hayes went on to say: —

> If the forces of the present day continue unchecked, within twenty-five years the classes will stand in New York, every nine men out of ten without homes or capital, one tenth owning everything. Then, look out! Reliance on force will not do. Building of fortifications and ships will not avail. You cannot solve the problem by such temporary expedients. How shall we meet it? Justice and education are the instruments. I believe the intelligence of the American people will be equal to every emergency in the future as it has been in the past. Legislation must cure the defects — this is the true remedy. The governmental policy should be to prevent the accumulation of vast fortunes; and monopolies, so dangerous in control, should be held firmly in the grip of the people. What! leave uncontrolled a power that buys your Councils, your Legislatures, and your courts? Shall the will of monopolies take the place of the Government of the people? Monopoly is offensive; it destroys individual enterprise; it antagonizes the principle of personal

of Congress [and of] all the State Legislatures are in the interest of these men and against the interests of workingmen. These need to be exposed and repealed. All laws on corporations, on taxation, on trusts, wills, descent, and the like need examination and extensive change." (Diary, March 11, 1888.)

liberty which is the very corner-stone of republican government; it is a menace to the people. The Standard Oil is a liberal monopoly and pays its employees better wages than other employers — a policy dictated by fear, perhaps. The Roman people were fed and entertained while being robbed of their liberties. This monopoly stands for a great deal already. It attempted to seize political power and usurp the functions of the State. It elected Hoadly Governor; elected Payne Senator, when the great mass of the Democrats hated him, and nine out of every ten wanted either Thurman or Ward; and attempted by outrageous frauds to steal the senatorship held by Sherman. In the words of Chief Justice Waite, the dollar has too much to say in the affairs of the Republic. It would be well if the power of supervision exercised by the Government over the national banks were extended to other things. The Interstate Commerce Law, one of the crudest ever passed, is yet one of the most beneficent in its results. The Government should say to dangerous combinations, "Thus far and no farther!" The Dartmouth College decision you and I have always regarded as an anchor that fixed things permanently in this country. I guess it was a mistake, and that it gave to capital a power that should rest only with the people.

Mr. Hayes's later expressions on this general subject are adequately represented by the following citations from the diary: —

March 18, 1890. — Began to read Dudley Warner's fine new novel "A Little Journey in the World." Sensible, sound, and charming. Curiously enough, it adds another to the list of "Nihilistic" novels — to the "Hazard of New Fortunes," by Howells, "A Yankee at King Arthur's Court," by Mark Twain, etc., etc. Of course I mean no disparagement by the word "Nihilistic." I use it to mean all opinions tending to show the wrong and evils of the money-piling tendency of our country, which is changing laws, government, and morals, and giving all power to the rich and bringing in pauperism and its attendant crimes and wretchedness like a flood. Lincoln was for a government of the people. The new tendency is "a government of the rich, by the rich, and for the rich." The man who sees this and is opposed to it I call a "Nihilist."

November 27. — The rich and the so-called fortunate owe a duty to the poor and unfortunate. The first, and by great odds the chief, duty, is simple justice. They owe them just laws, just methods of business, and a fair share of the good things of the world, such as education, property, opportunity.

December 10. — The wealth of our country is increasing rapidly and enormously. The question of its distribution presses more and more

urgently. The great question in our day and generation plainly is the property question, the question of wealth. Shall it be held, controlled, owned by a few? or shall it be wisely, equitably, that is widely, distributed? More and more, wealth gives power, estimation, reputation. Shall only a few have it? Wealth, education, opportunity, power go together. Shall they belong to a few, or to the many? They will rule always in a free country. Who shall rule, the few or the many — a plutocracy or a democracy? That is the question.

February 6, 1891. — The burning question of our time in all civilized countries is the question of wealth and poverty, of capital and labor. Small progress has yet been made toward its solution. Why? Because ignorance and not intelligence has taken hold of it. The potent objection, the stronghold of the existing injustice, is the futility, not to say folly, of the remedies which ignorance is able to contrive. Let men, both intelligent and true to the interests of the laborer, take up the problem. All fair-minded men admit that labor does not now get its fair share of the wealth it creates. All see that wealth is not justly distributed. Let education send into our society a body of laborers, educated and intelligent, able to deal with this grave question.

It is easy to see, therefore, on which side Mr. Hayes's sympathies and influence would have been in all the efforts that have engrossed the attention of the people and enlisted the activities of statesmen in recent years, to control or eliminate monopoly and to check the malign operations of concentrated capital. He would have joined heart and soul in any sound movement that promised to destroy privilege and to restore conditions of free and equal opportunity — to make the Government in fact as well as name a government of and for the people.

CHAPTER XLII

THE FINAL SCENES

IN all the life at Spiegel Grove and in his benevolent and public-spirited activities, Mr. Hayes had the constant sympathy and support of Mrs. Hayes. In all respects there was complete accord of purpose and ambition, complete unison of sentiment in service for the public good. Mrs. Hayes was always busy in good works in behalf of deserving causes or individuals. Indeed, in the case of the latter, she solved all doubts in favor of their deservingness. In the larger work of the church, the cause of home missions appealed to her most. For many years she was president of the Home Missionary Society of the Methodist Episcopal Church, faithfully performing the duties thus assumed, and presiding at the annual meetings with dignity and grace. Her influence and example did much to build up the society. In whatever city the annual meeting of the society was held she was the recipient of constant social attentions from old friends and new.

Whenever it was possible Mrs. Hayes accompanied Mr. Hayes on the journeys that his various activities made necessary. Her last journey with him was to New York in the latter part of April, 1889, when the centennial anniversary of the inauguration of Washington as first President was celebrated with great pomp and circumstance. Mr. and Mrs. Hayes shared with Mr. and Mrs. Cleveland and President and Mrs. Harrison the special honors of the occasion. They participated in all the various festivities, and at the banquet which marked their culmination Mr. Hayes responded with dignity and propriety to the toast, "The Presidency." [1] Wherever Mrs. Hayes

[1] The more significant paragraphs of this speech were: —

"The tree is known by its fruit. Experience has shown that in ordinary times the executive power is of no greater importance — perhaps it is less vital — than the legislative or judicial power. Indeed, so happily constituted is the Presidency that we must say of each of the twenty-six Presidential elections under the

went she was as much a centre of attraction and received as great homage as in the White House days. This New York visit [1] was her last appearance in the life of the great world.

Constitution, that either candidate might have been elected, and the good citizen whose partisan feeling was strongest and whose disappointment was bitterest could repose on his pillow consoled by the reflection, 'Although my party is beaten, my country is safe.' Is it not true that our executive authority is so fashioned that in ordinary times it has always been so administered that the Republic has received no detriment? When gigantic perils and disasters threaten, when extraordinary character and powers are demanded, these great occasions have always found strong hands to deal with them.

"We can truly say of the Presidency that the results of twenty-five consecutive terms have vindicated the wisdom of the fathers who established it. Of twenty-two terms there are two things which may be said: One is that no great remediless harm came through the executive power to the people it was intended to serve. The other is that if no eminent historical benefit, lasting through the ages, was conferred by most of them, it was perhaps because the opportunity for illustrious achievement did not occur. But during them all the nation, by its inherent resources and energy, pushed rapidly forward in a career of unparalleled prosperity and happiness, unimpeded by executive crimes or blunders.

"Finally, during the critical and anxious years of the other three Presidential terms the opportunity came to America, and she gave to the world two Chief Magistrates whose character and deeds, unrivalled in human annals, were crowned by a devotion to country and mankind which enabled them to furnish an example of independence of personal advantage and of selfish love of power, of wealth, and of title, either for themselves or their families, absolutely unknown before in the history of the rulers of the world. By their administration of the Presidency, Washington and Lincoln have made the great office, and the Century whose completion we celebrate, illustrious forever and forever!"

[1] During this visit, Friday evening, May 3, Mr. Hayes was a guest at a notable dinner given by Colonel Elliott F. Shepard. Of this, in his diary (May 4), he gives the following record: —

"Last evening attended a semi-political symposium at Colonel Shepard's. Southern Governors and three officers of the New York Southern Society, with the interesting purpose to talk up the Southern situation and other problems now requiring solution, gave interest to the unusual meeting.

"There were present our host, Colonel Shepard; on his right, at the large square table, perhaps sixteen feet square, was General Gordon, on his left General Buckner (Governors respectively of Georgia and Kentucky); next on Gordon's right, myself, on Buckner's left, Mr. Senator Evarts. This was the head of the table. On the right side [Mr. William P.] St. John, John C. Calhoun (grandson of the great statesman), Mr. [Logan C.] Murray and Judge [Noah] Davis. On the square opposite Colonel Shepard, Chauncey Depew was at the centre; General Butterfield [and Alfred R. Conkling] on his left, General Howard on his right. On the fourth side were Russell Harrison, Mr. [John F.] Plummer, Mr. [Arthur E.] Bateman and Mr. [Magrane] Cox.

"It was a notable assembly; the dining-room stately and elegant. After dinner, beginning about 7 P.M. and ending about 9.30 P.M., Colonel Shepard rose and spoke of the Southern problem, without defining it, and called on Governor Gordon. He spoke in a friendly spirit, fluently, and at times eloquently.

A few weeks after the return to Fremont, without the slightest forewarning, fell the fatal stroke which terminated her earthly course. One of her brothers had died some years before from apoplexy, and she had felt premonitions that her end might

The importance and rights of the States were dwelt upon, and he closed with decided devotion to the perpetuity and supremacy of the Union.

"Next Governor Buckner spoke of the gravity of the negro problem — too large to be discussed fully in an after-dinner speech. But alluded to the Anglo-Saxon race in the usual way of our Southern friends, and then touched handsomely the question of increasing wealth on the eastern border of the Union. 'The centre of population is steadily moving west, and the centre of wealth is moving east.' Wealth gets in fewer hands, etc., etc. Then an anti-tariff speech, as the main cause of this. Devotion to Union and the general Government.

"Mr. Shepard in one of his talks of introduction alluded to the inequality of representation in the Senate, and suggested a change in the future as to small States coming in hereafter. Next he introduced me with high compliments. When he closed, and the toast in my behalf had been drunk, as in all cases, by the company standing, Governor Gordon rose, and said he wanted to say a few words touching my Presidency. He said: [Instead of Mr. Hayes's summary Governor Gordon's exact words follow.]

"'I am going to ask the privilege of adding just one word. It was my fortune to be in the United States Senate when that memorable contest between the distinguished New Yorker and the gentleman whose health we have just drunk was being conducted before the Congress of the United States. I was a very strong partisan of his opponent. I believed him to be fairly elected. I did not believe, when this distinguished gentleman was inaugurated, that he could, under the circumstances peculiar to that case, administer this Government on the broad, magnanimous plan which I thought became the President of this great Republic. I saw much of him, differing with him in many respects, but I soon learned, and I wish to declare, that his heart and thought were bent in one direction alone. I have told him at this table to-night, and I feel impelled by a sense of justice to him to say it more publicly, that I learned to appreciate him. I will say in the presence of you, gentlemen, that in all the line of distinguished men who have filled that office, no man ever sat in that chair who, in the judgment of a political opponent (as I was), was ever actuated by a more single-minded or a more exalted purpose to discharge his duty to every citizen, every section, and every State, than was Rutherford B. Hayes.'

"It was well received by the company.

"I expressed my appreciation of his kind words in a single sentence. Then I spoke of the few things we must accept as settled — negro suffrage and the Senate. [Here too, in place of the summary, sentences from the verbatim report are given.]

"The general topics that we have been listening to are such as interest us all. I have supposed that as to a number of questions that have been suggested they are substantially settled by facts and by the Constitution. Begin to meddle with that old Constitution under which we have lived for a hundred years, disturb its compromises in any particular, and it is a little uncertain upon what changing, uncertain, and stormy sea we would launch our Government. We have come to love the old institutions. The work of Washington is dear to us.

come in like manner. It was a lovely afternoon in June (Friday, the 21st) when the grove was never more beautiful. Carpenters were busy finishing the latest addition to the house, to the completion of which she was eagerly looking forward. She was seated in a low chair in front of the southwest window of her room engaged in sewing, looking up now and then to watch the young people playing tennis on the lawn, apparently in the best of health and spirits. Suddenly the maid who was with her noticed that she had become silent, and was gazing fixedly at her needle. There was no response when the maid addressed her; and no words ever after issued from her lips. Medical aid and nurses were summoned at once and tenderest care was given her. Mr. Hayes, who had been absent for some days at Columbus on State University business, came two hours later, accompanied by his favorite niece, Mrs. Mitchell, hearing the dreadful news first as he stepped from the train. The invalid was conscious when he arrived, as the pressure of her hand and her speaking eyes signified; and she so remained, at least at intervals, until Sunday morning, when no effort could rouse her more and

I would say, in regard to all of this, let well enough alone. We have lived under the old instrument a hundred years; let us go on with as little change as may be.

"We perhaps made a mistake in the arrangement of the senatorships. Let it stand. We perhaps made a mistake in conferring too early upon the black man the right of suffrage; that may be possible. But is n't it certain that existing facts require us to consider it fixed? Is n't it better to consider what we can do to make this population just what we would have it, exercising with us equally the great right of suffrage? During the last eight years, since leaving entirely active political life, my thoughts and my work have been chiefly in connection with questions of this sort — how best to educate all our people to be indeed fit to exercise the right of suffrage, to be American citizens. Heart has as much to do with it, perhaps, as brain, after all. I do not think we are going to suffer in the future. How different it is to-day from what it was during most of the years of our lives on all these questions!

"Fifty years ago Mr. Adams delivered an address, which was full of painful suggestions, on the fiftieth anniversary of the inauguration of Washington. None of the troubles that he saw are now with us. And now how gratifying the change! There is no very wide difference between us. We can still talk about the old ideas, but when it comes to any practical legislation, the Constitution is the same in New York that it is in Georgia and Kentucky. This continental Republic, with its inspiring future, has one destiny, surely, for Kentucky and Georgia, for Maine and California. George Washington is the one figure of a hundred years ago, and we may not have a George Washington to turn our thoughts to now; but as to every sentiment growing out of that Constitution we are far better off than we were fifty years ago or a hundred years ago. We are in deed and in truth one country, with one Constitution and having one destiny."

all hope forsook the anxious watchers. The end came in the hush of the early morning of Tuesday, all her family watching in silent anguish as her gentle spirit took its flight. There were present also Mrs. Mitchell, Mrs. Adda Cook Huntington, and Miss Lucy Elliot Keeler, all near relatives, and Mrs. A. H. Miller, an intimate friend and neighbor.

As soon as the news of the sudden affliction was flashed over the wires, messages and letters, at first of inquiry and hope and later of sympathy and condolence, began to come by hundreds to Spiegel Grove from all parts of the country. Never before in the history of America had the death of any woman touched so many hearts with sorrow, or evoked so numerous expressions of sympathetic praise, or filled the press with such a variety of approving comment, of elegiac verse, and of encomiastic reminiscences and anecdotes. All pens and voices were at one in lauding her life and character, her interests and activities, as those of the highest type of womanhood.[1]

From the White House, from Grand Army posts, from the Woman's Relief Corps and numerous other societies, and from friends far and near, came flowers in endless profusion and variety of symbolic arrangement. It was estimated at the time that ten thousand people gathered in the grove at the hour of the funeral on Friday. Business in the town was suspended, even the post-office being closed on orders from Postmaster-General Wanamaker. The services, which were simple, were conducted by Dr. L. D. McCabe, — who had been Mrs. Hayes's teacher at Delaware and who had officiated at the marriage and the silver wedding, — assisted by President Bashford of the Ohio Wesleyan University. Mrs. Hayes's favorite hymns were sung, "My Jesus, as Thou wilt," "When peace like a river attendeth my way," and "God be with you till we meet again." The last had always been sung at the close of the annual reunion of the Twenty-third Regiment, with Mrs. Hayes leading. Dr. McCabe spoke very briefly, reviewing the striking qualities of Christian character which Mrs. Hayes had exemplified throughout her life. "The contact with the world," he said, "did not spoil the

[1] Not long after her death philanthropists established and endowed at Washington in her memory the Lucy Hayes Deaconess Training School, which has accomplished much good.

loving-kindness of her nature. She was always finding some human heart that needed binding up. Much of her Divine Lord's spirit she had in a tender regard for humanity, which could brook no unkind word, indeed, could brook nothing which could wound a fellow being, however lowly."

Members of the Twenty-third Regiment, which had always idolized her, a score or more in number, some of whom had travelled long distances to be present, marched on each side of the hearse in the procession to Oakwood Cemetery. On the way the band played softly the tunes Mrs. Hayes had always liked to hear at soldier funerals — "America," "Tenting on the Old Camp Ground," "Hail Columbia," and "Nearer, my God, to Thee." At the grave-side the burial service of the Methodist Church was read by Dr. Bashford, and in the impressive silence that followed the solemn "Dust to dust, ashes to ashes," the four sons and four nephews lowered the coffin to its place. To those who stood close about the tomb the world seemed very desolate as the clods fell dully on the coffin. The June sunshine was less bright, and the songs of the birds and the flowers that breathed their fragrance on the air seemed all in mockery of their woe.

In the weeks that ensued Mr. Hayes was utterly crushed in spirit as he mourned his irremediable loss. So perfect had been the union of lives, so close and necessary the companionship, that now all the uses of the world were become for him weary, flat, stale, and unprofitable, and he could think of nothing so desirable as to lay down the burden of this world and be at one with his life companion once more. He found some consolation in the letters of friends reciting numberless kindly acts of hers that they remembered, and he took a melancholy pleasure in replying to these letters, and in himself recording characteristic incidents in her career; in enumerating the qualities and virtues that had so distinguished and adorned her life, and in gathering and arranging everything in the way of comment, memorial, or memento that bore relation to her life. "She wanted to treat all of God's creatures as she would wish to be treated in their place," he wrote of her. "I think of her as the Golden Rule incarnate. All humanity was dear to her, and beyond any person I ever saw she loved to make all happy, and was gifted with the

faculty of doing it. She loved Christ and all good Christians. She cared very little for the formalities of religion; believed in the orthodox doctrines, but was liberal and all-embracing in her charitable views as Christ himself. She had friends she valued in every church and of no church. One writer about her fitly says, 'She had no obtrusive goodness.'" [1]

Gradually, however, the resources of his philosophy mitigated his absorption in his great sorrow,[2] albeit his loneliness never permitted him to be unconscious of the desolation that had come into his life; [3] —

> "And slowly, though his loss he felt as much,
> His grief was softened by Time's healing touch."

Little by little he resumed his interest in the philanthropic and educational activities to which he had dedicated his later years

[1] "She had a many-sided nature; was fond of all farming, of cattle, of her dairy, of her poultry yard, of her flowers, of sailing, fishing, of all children's sports; was fond of looking on at the dancing in the ballroom; of all great gatherings; of soldiers marching and drilling; was selected to take part in many scenes of all sorts, and enjoyed it. Her best day at the New York Centennial, 30 April, 1889, was the Naval Day in Commodore Bateman's yacht." (Diary, July 2, 1889.)

"As I walked away from church an old M.E. brother — a teamster by profession — said, 'There was a notable thing at the funeral, I noticed and many others. The Jerseys — *her* Jerseys — all came up as near to the funeral procession as they could get and stood in a row looking at it, standing still like soldiers in ranks until the funeral had all passed.'" (Diary, August 11, 1889.)

[2] There was comfort for him, too, in the presence of his niece, Mrs. Mitchell, who remained at Spiegel Grove for several weeks. On her departure Mrs. Herron and two daughters came from Cincinnati for a month's visit. Soon after their return he wrote to Mrs. Herron: "It was very lonely after you and the dear young folks left. But your visit carried me forward a long way. The sharp pangs are less frequent, and the periods of settled gloom are shorter and rarer. I find myself rapidly getting back into the old ways. Nothing could have done so much good as reading and talking with you. It is annoying — I am almost ashamed to own to myself how the skies begin to brighten above me once more."

[3] At the Prison Congress at Nashville in the following November, Mr. Hayes closed his opening address with the following reference to Mrs. Hayes: "During almost forty years it has been my fortunate lot to live under the same roof with one, now gone to the world beyond, whose gift, and whose delight, it was to shed happiness on all around her. Her joy was so radiant because her life was the very incarnation of those few humble words which fell naturally from her lips: 'I know I am not good, but I do try to treat all others as I would wish to be treated if I were in their places.' Surely, my friends, if our legislation and its execution and our conduct as communities and as individuals can be penetrated and controlled by the spirit of the Golden Rule, a solution will be found for every problem which now disturbs, or threatens to disturb, our American society."

and he continued to perform all the duties that they required of him. Relatives and friends were made as welcome as of yore to Spiegel Grove. Indeed, he lavished affection on his relatives, and he cherished and cultivated his friends with even greater devotion than before. He called frequently on the neighbors he liked best and always had some of them with him when he went to drive. His daughter became his constant companion in the journeys that his public services made necessary; and she accompanied him on a visit to Bermuda, when constant attentions were bestowed upon him by the colonial authorities and the British officers stationed there.

He was never more occupied with the various interests and duties that claimed his attention than during the last few months of his life. He attended the Grand Army Encampment at Washington in September, 1892, marched in the procession with the old soldiers,[1] and took a conspicuous part in the reunions and camp-fires.[2] Wherever he appeared he was greeted with tumultuous cheers. Then followed in rapid succession a visit to New York to attend the meetings of the Peabody and Slater trustees, and to be an honored spectator of the great

[1] "Tuesday. The day of the great parade. I had tramped afoot with my comrades in post duties at home, at state encampments, and at the national encampment in Detroit. It struck me as the thing to do to follow these precedents at Washington. The people looking on and the comrades approved by applause in a very gratifying way. Nothing of the sort could have been better than the demonstration on Fifteenth Street, — Treasury on one side, Riggs House on the other, — and as I approached the stand, Senator Hawley led in the cheering. It was enough to stir the blood of the coldest and oldest! Evening, dined at Army and Navy Club, meeting at table General Schofield, Vice-President Morton, Senators Manderson [and] Hawley, and other notabilities of the army and navy gathered to meet me. After dinner a general hand-shaking." (Diary, September 20, 1892.)

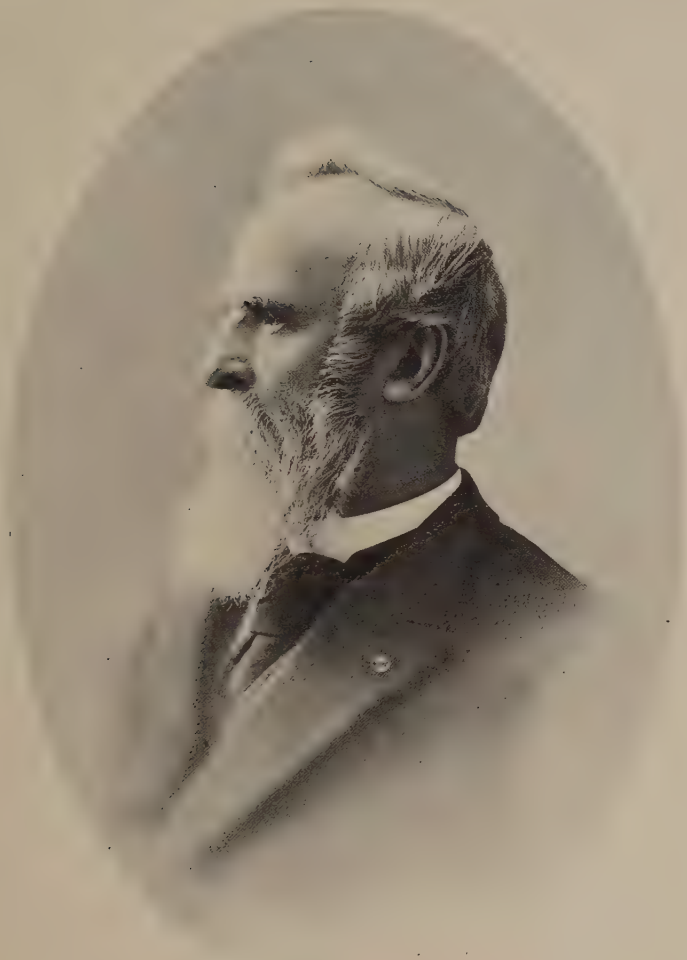
[2] "Tuesday evening was the meeting of the Army of West Virginia in the Grant tent. . . . General Rosecrans, Governor Pierrepont, General Powell, and others spoke, and I presided. The event of the evening was the going-out of the electric lights, leaving us in total darkness! But the result was typical of the good order which prevailed throughout the whole encampment. The strange thing occurred — perfect order, and we went on with the speeches and business of the society, elected officers, passed resolutions, and quietly adjourned the great audience, having no noise or confusion, except the usual applause when good things were said. When General Rosecrans was speaking, some one said, 'We would like [to] see his face!' I lighted a match and held it near his face! This was greeted with great applause, or rather the old veteran was heartily applauded." (Diary, September 21, 1892.)

naval and military parades and to share in the festivities that accompanied them; participation in the Indian Conference at Lake Mohonk; and a journey to Chicago to take part in the dedication of the Columbian Fair buildings. On these occasions he was the recipient of every courtesy possible from those in authority, and his appearance in public was in each instance a signal for spontaneous and prolonged cheering. Never, in fact, since the White House days, had he been greeted with greater manifestations of popular esteem. And all this gave him a feeling of deep satisfaction and touched his heart with gratitude.

Hardly had he returned to Spiegel Grove when word came of the death of Mrs. Harrison. Thereupon, as already noted, he journeyed to Indianapolis to attend the obsequies, and accompanied President Harrison on his way back to Washington as far as Columbus. Early in December occurred the annual Prison Congress, that year at Baltimore. Mr. Hayes presided as usual, making the opening speech. In this he pleaded especially for wise restriction of immigration so as to prevent the influx of criminals and defectives, virtually deported by European countries at that time to our shores; and he gave this admirable definition of the purpose and aims of the society, to which he had devoted so many years, as his last contribution to the cause: —

> The true prison reformer labors to introduce the spirit of the Golden Rule into the whole territory of duty embraced in the great subject of criminal jurisprudence. The prime object is the protection of society and individuals by the prevention of crime. The means by which we seek to attain this end are: —
>
> 1. The speedy and certain arrest, conviction, and imprisonment of the guilty.
>
> 2. The reformation of convicts by the valid reclaiming forces: religion, education, and productive labor.
>
> 3. The permanent incarceration of all prisoners not reformed.
>
> 4. The most effectual means to prevent crime is an unceasing, conscientious, and wise care in the training of the young.
>
> In all of these paths the progress at any given period seems difficult and slow, but in a generation it is unmistakable and encouraging.

This visit to Baltimore was Mr. Hayes's last journey outside the State. But late in the month he was at Cleveland to preside at a banquet of Kenyon College alumni and at Columbus to



RUTHERFORD B. HAYES, 1892

At the age of seventy ; the last photograph

address the Ohio College Association on his favorite theme, the importance of manual training in our educational system. The holiday season was passed by him most pleasantly at home, with all the members of his family present to share in the customary celebration. And now, quite unknown to him, — when his eye remained undimmed and all his powers of mind and body were apparently unimpaired, while he was busy with his self-imposed duties and was planning soon to make another journey through the South in the interest of the Peabody and Slater benevolences, — his days were drawing rapidly to their close. He had, to be sure, long had a conviction or feeling that he should not long survive the scriptural threescore years and ten, if he lived to that age. As his seventieth birthday drew near, he had written (September 16, 1892): —

The best idea I recall, the result of my almost seventy years of experience, is the capacity of men and women for self-improvement. Shakespeare says, "By use (habit) we can almost change the stamp of nature." Beginning early the young can train themselves to good dispositions, to good minds, to *steady nerves*, to courage, to self-control, and to all the virtues and graces of mind and body. How vast, how important!

I have a desire, not intense but growing, to live to seventy. I now feel as if I could leave this sphere willingly after that day — 4th October next, two weeks and four days.[1]

[1] On his birthday he wrote: —

"My birthday. Seventy years old to-day. Now my life is as happy as that of people of the common standard — more so, I suspect, far more so. I have tried to phrase my best lesson from the observation and experience of the seventy years. The idea is the chief distinction between man and the lower animals, namely, his improvability by self-culture. A man can by self-culture, with care and perseverance, 'almost change the stamp of nature.' He can add to his natural faculties and powers; he can supply defects, eradicate evil tendencies, and strengthen and quicken all good tendencies and powers. This is the vital fact in our nature. Washington, naturally with a violent temper, by self-culture acquired a wonderful control over this tendency.

"My tendency to nervousness in my younger days . . . gave some serious uneasiness. I made up my mind to overcome it, to maintain steady nerves if possible under the most trying circumstances. In the cross-examination of witnesses before a crowded court-house, as in the Nancy Farrer case in 1850 or 1851, I soon found I could control myself even in the worst of testing cases. Finally, in battle, I was not in the least disturbed by shells bursting near me. Recently the dentist, plugging a large cavity in a tooth, said, 'It will not give you much pain, but it will disturb your nerves.' I replied, 'I have no nerves.' He said, 'I think I shall find some nerves.' After he had worked away, pounding,

On the Sunday before the fatal illness overtook him he wrote in his diary (January 8, 1893): —

In the afternoon I drove with Rutherford around the grave of Lucy in a sleigh. My feeling was one of longing to be quietly resting in a grave by her side.[1]

The next morning early he set out for Columbus to attend a meeting of the board of trustees of the State University.[2] He was engaged in university interests and in visits to his friends and relatives until Thursday afternoon when he took the train for Cleveland. As he often did, he found a seat in the smoking-car, because he liked to join in the easy acquaintanceship and conversation which that car seems to engender. One of his chance travelling companions wrote an account of the afternoon while its incidents were still vivid in his mind. From this it appears that Mr. Hayes was in a most genial and happy mood. He entertained the group throughout the trip with incidents of his experience in public life; told how, in order to save the Soldiers' Orphans' Home, a German member of the Ohio Senate

grinding, and filing for some time, I fell into a sweet sleep in his hands, his working having rather a soothing effect!

"As I was going to the first opening ceremony of the great Centennial Exposition, from Buffalo direct by a new railroad to Philadelphia, the train was met at all stations with a welcome to the notabilities and to the new railroad, bands, crowds, flags, and cannon firing. At one place the cannon a few feet from the track was to be fired just after the last car had passed. The train stopped more suddenly than was anticipated and the shot was fired direct into the window where I sat. The glass cut my forehead so it bled freely; the powder and wet wads plastered my face and eyes, etc.; but I did not stir. A fellow passenger a few seats away, as the smoke cleared off, looking at me saw I had not stirred and thought I was killed. He came to me. I told him in the most matter-of-fact way that I was sure I was not hurt seriously, although I could not see and was covered with blood!"

[1] To an old friend, Mrs. Eliza G. Davis, of Cincinnati, he had written December 31: "Yesterday was the wedding day — forty years ago! How many of the kind friends of that glad day are gone to the unseen! Our turn to leave must soon come to us. You are ready and nothing to lose — nothing to fear. I have the same feeling as to myself. 'God be with you till we meet again.'"

[2] "How long is this going to last?" he said to his son Rutherford, on the way to the station that blustery morning. "These trips are wearisome, although the duty is very pleasant, and the objects those in which I am greatly interested. From some of them I shall be brought home in a pine box, but that is as good a way as any. We have all got to die sometime, and it matters little how or where except as it affects the feelings of family and friends. The main thing is that the illness be short and painless."

had spoken in English, German, and French all night, until an absent member could be rushed back by special train to Columbus; described his interview with the astute De Lesseps, when the latter was seeking to enlist American support for his Panama enterprise, and how that irrepressible gentleman had perverted for publication his unequivocal words of discouragement into expressions of sympathy and approval; related many anecdotes of the members of his Cabinet and other public men; and spoke with amused unconcern of the silly chatter of witless or malignant newspaper writers about his poultry yard. Mr. Hayes himself wrote that his fellow travellers were "an agreeable party." But the car was not adequately heated and Mr. Hayes contracted a cold which doubtless hastened his end.

He was a guest until Saturday of Mrs. L. C. Austin, a relative and intimate friend, at whose home his son Webb lived and whom he had frequently visited. On Friday he was busy with the affairs of Western Reserve University and visited the University School in which he had been greatly interested. Saturday afternoon at the Cleveland station, as he was about to depart for Fremont, he was seized with an attack of angina pectoris. His son Webb obtained brandy for him and this somewhat relieved the intense pain, which he described as like that he had suffered after his severe wound at South Mountain. Webb urged him to return to Mrs. Austin's, but he said no; he longed to be at home. "I would rather die at Spiegel Grove," he declared, "than to live anywhere else." He was made as comfortable as possible in the drawing-room of the Pullman car, and reached Fremont at seven, still in great pain, but no worse for the journey. Dr. Hilbish, the family physician, who had been forewarned by telegraph, met the train and accompanied the sufferer to Spiegel Grove. It was with a sigh of satisfaction that he presently found himself in his own room and bed — which he was never to leave alive. The physician did not at first apprehend a fatal termination of the malady. He did all that medical science could suggest, remaining almost constantly with his distinguished patient.

But the weary heart did not regain its vigor. Mr. Hayes himself had little doubt that his hour was come and he was prepared to "greet the unseen with a cheer." During the three

days that he lingered he talked freely and cheerfully with members of the family, referring more than once to his last visit to his wife's grave, when he had a feeling of longing to be lying at her side. "And yet," he would add, "I am not unhappy. My life is an exceptionally happy one." But, after all, he felt that his life-work was done; that he had fought a good fight; that he had lived to see detraction and misrepresentation give place to recognition and appreciation; and he was quite ready to obey the final summons to put out upon the unknown sea. He desired "no sadness of farewell when he embarked." His last recorded words were said to Dr. Hilbish: "I know that I am going where Lucy is." While his suffering was greatly relieved by anodynes, he chafed at being confined to his bed — the first experience of the kind since he was wounded at South Mountain, more than thirty years before. Tuesday there seemed to be a change for the better and hope was quickened; but after ten that night conditions became rapidly worse, and near eleven he fell away painlessly into the endless sleep, in the arms of his son Webb, his daughter and Rutherford standing at the bedside.[1] And so "the faithful heart that had beaten high in battle grew faint and failed, and then the white stars watched until morning." [2]

So little alarming had been the press reports that the news of the sudden death came to the country as a complete surprise. Messages of condolence at once began to arrive from the great and good in all parts of the land, from unnumbered relatives and friends, from those who had been associates in military service, in public affairs, in philanthropic and educational enterprises, and from men in all walks of life who had been supporters and admirers of the man whose course was finished. The house was filled with flowers, many of them arranged in elaborate designs, from the White House, from the Legislature of Ohio, from Loyal Legion commanderies, from Grand Army posts, and from numerous other organizations, and countless individuals. The funeral took place Friday afternoon. In spite of the

[1] The oldest son, Birchard, and his wife, had spent the day at Spiegel Grove, but had returned to Toledo for the night, having no apprehension that the end was near. The youngest son, Scott, had not yet arrived from Cincinnati.

[2] Murat Halstead in New York *Independent*.

snow and the severe weather, hosts of people from near and far journeyed to Fremont to look on the face of their friend once more and to share in the rites of sepulture. Mr. Cleveland, soon to be inaugurated as President a second time, between whom and Mr. Hayes the kindliest relations of sympathy and esteem had existed, came from Lakewood.[1] Threatened indisposition deterred President Harrison from making the long journey at such an inclement season; but four members of his Cabinet, Messrs. Foster, Noble, Rusk, and Wanamaker, represented the National Administration, along with army and naval officers. Delegations were present from the two houses of Congress; and the Legislature of Ohio came in a body, headed by Governor McKinley, with his staff, and the state officers. Delegates from Loyal Legion commanderies and from other societies, and many other men of distinction were present from various parts of the land. General Henry C. Corbin, a close personal friend, had charge of all arrangements for the day. All the morning, the body lay in the great dining-room, amid the mass of flowers, surrounded by a guard of state militiamen, and thousands of townspeople and visitors filed past the coffin to gaze upon the features that death had left unruffled and majestic. As two o'clock approached, the coffin was borne to the front hall and over it were hung the American flag and the banners of the Loyal Legion of Ohio and of Massachusetts. There was no other decoration in hall or parlors. By this time the house was filled with the immediate family and friends and the distinguished visitors, and the outer doors were closed. Thousands of people stood in the snow about the house while the brief funeral service was celebrated. This consisted of the reading of the Twenty-

[1] Mr. Cleveland incurred criticism from a few bitterly partisan papers of his own party, which could never forgive Mr. Hayes for being President. But sensible and judicious people of all parties applauded him for his seemly and gracious act; quite agreeing with the sentiments expressed at the time by the New York *Tribune*: "He has done with modesty and dignity, and at considerable sacrifice of personal ease and comfort, a very gracious and becoming act, for which all American citizens who have pride in their country, its history, and its rulers, and all men everywhere who believe in that common humanity which at the edge of the grave forgets all unkindness, will hold him in high honor. It may be but a little thing, but it is one of those little things that go a long way toward smoothing out the differences that make so many misunderstandings in the world."

third Psalm, by the pastor of the local Methodist Church, the Reverend J. L. Albritton; the singing of the hymn, "It is well with my soul," by a Cleveland choir, assisted by Mrs. Fred Dorr, of Fremont, a warm personal friend; an impressive prayer by President Bashford, of Ohio Wesleyan University; the favorite hymn, "God be with you till we meet again"; and the reciting by the entire company of the Lord's Prayer. Of this simple service the contemporary press account declares: —

> One might live a lifetime and never witness such a scene. Assembled counsellors and rulers of the nation with one accord bowed their heads and joined in the simple prayer of childhood and old age in strong and reverent tones. President-elect Cleveland and Governor McKinley, sitting side by side, humbly and devoutly lifted their voices with the rest. It was more solemn and impressive than any sermon, and more than one pair of eyes were dim when the amen was said.

The procession to Oakwood was headed by Troop A of Cleveland (of which Webb Hayes was a member), the Toledo Battery, and the Sixteenth Regiment of the Ohio National Guard. Next to these marched members of the Grand Army of the Republic and of the Sons of Veterans. The honorary pallbearers were all men that had been close friends of Mr. Hayes: Secretary Charles Foster, representing the President; Governor McKinley; Dr. J. L. M. Curry, agent of the Peabody and Slater funds; Major E. C. Dawes, representing the Loyal Legion of Ohio; General Wager Swayne, representing the Loyal Legion of New York; General Manning F. Force; Colonel William E. Haynes, of Fremont, member of Congress; and William Henry Smith, the most intimate personal and political friend. The actual bearers were members of his old regiment, the famous Twenty-third, who carried the corse of their old commander with affectionate care. The relatives and funeral guests followed in carriages in appropriate order; and thousands of people walked the mile to Oakwood in the frosty sunlight through the deep snow. At the grave-side the service was "very brief and simple," the press account records, "but the grouping of figures rendered it indescribably solemn and impressive. Around the grave were the cavalry troop in yellow and blue, with the red-caped artillerymen in the background, and on the opposite side the regiment of infantry, while all about and everywhere

were people anxious to witness the last sad duty to the dead. The picturesque uniforms of the cavalry and artillery, the soft blue of the infantry, the more sombre dress of civilians, and the brighter costumes of the ladies, with the bare trees above and the white robe of snow below, combined to frame a picture in the failing light of the afternoon that will last as long as life in the minds of all who saw it." When the coffin had been lowered among the boughs of evergreen that hid the frozen earth, the Sons of Veterans fired a parting salute, and the bugles sounded taps.[1] And so, as the wintry sunlight faded in the west, all that was mortal of the man that had nobly filled so large a space in the better history of his time and country, lay at rest beside the grave of his soul companion, whom, through years of sorrow, bravely borne, he had longed to join in that fuller life, to which, as he confidently trusted, death was the portal.

It is quite impossible in limited space to convey an adequate impression of the public honors and manifestations of respect that were paid at the time to the life and character and varied public services of Mr. Hayes. President Harrison immediately announced the death to the country in an executive order, directing that the White House and other government buildings be draped in mourning and the flags thereon placed at half-mast for thirty days; that on the day of the funeral all public business of the departments be suspended, and that military and naval honors be ordered on that day. In this announcement he expressed this judgment of Mr. Hayes: —

He was a patriotic citizen, a lover of the flag and of our free institutions, an industrious and conscientious civil officer, a soldier of dauntless courage, a loyal comrade and friend, a sympathetic and helpful neighbor, and the honored head of a happy Christian home. He has

[1] TAPS

The strenuous day is past,
The march, the fight.
The bugle sounds at last:
"Lights out. Good-night."

Sleep till the shadows take
Their endless flight;
Until the morning break,
Good-night; Good-night!

CH. HEMENWAY ADAMS.

steadily grown in the public esteem, and the impartial historian will not fail to recognize the conscientiousness, the manliness, and the courage that so strongly characterized his whole public career.

The Supreme Court and both houses of Congress adjourned the day after the death in token of respect, Democratic members vying with Republicans in expressions of sorrow and appreciation. The Legislatures of many States adopted resolutions of respect and adjourned their sessions. All the various societies and institutions with which Mr. Hayes was connected held memorial meetings, at which glowing eulogies were pronounced by men of high distinction; and countless other gatherings of a similar character were chronicled in all parts of the country. The minutes adopted by the Peabody and Slater trustees, and the tributes to his character promulgated by every commandery of the Loyal Legion, were eloquent expressions of the honor and esteem in which he was held by men who had been most closely associated with him. The newspaper and periodical press of the country gave large space to reviews of his career and to discriminating appraisal of his character and achievements. Only a very few journals, blinded by partisan passion, or cankered by the personal disappointment or malignity of their editors, sought to disparage his high qualities, or to question the integrity of his motives, or to belittle the sum and magnitude of his public accomplishments. These discordant notes were neither numerous nor serious enough to mar the general chorus of just recognition and appreciation.

From the innumerable utterances of the time, a few paragraphs may be given, as typical of their prevailing character. The Reverend Washington Gladden, who knew Mr. Hayes well, delivered a memorial discourse at his church in Columbus on the Sunday next following the funeral, in which he said: —

> I have named him the "Great Commoner." This title was given first to William Pitt, in the days before he was the Earl of Chatham; it was the popular tribute to a lofty spirit who was "the first to discern," as one of his biographers phrases it, "that public opinion, though generally slow to form and slow to act, is in the end the paramount power in the State, and the first to use it, not in an emergency merely, but throughout a long political career." . . . Our own Great Commoner has won the title by the same qualities. He, too, was essentially and

preëminently a man of the people. From the common people he rose, and he never rose above them. That persistent determination of his to walk in the ranks in the Grand Army parades has been censured by some as affectation. But to President Hayes it was the simple expression of a fact which he would neither deny nor ignore. He was a plain citizen, nothing more; he would not masquerade as anything else. While he held the Chief Magistracy of the nation, he magnified the office; when he laid it down, he returned to his place. He knew the dignity of office; he knew also the dignity of private citizenship. . . .

To multitudes in other States his great services have endeared him; but Ohio has the largest share in his renown. I think it must be allowed that he was her greatest citizen — the finest product, on the whole, of her century of history. That is a large claim, but I advance it with some confidence. When the future historian comes to test, by the standards of impartial criticism, the characters and the services of the men of Ohio who have been at the front in the nineteenth century, I think that the name of Rutherford Birchard Hayes will lead all the rest. Grant and Sherman and Sheridan were greater generals; Garfield was a greater genius; and there have been greater orators and greater jurists and greater educators; but take him all in all, for an all-round man — citizen, soldier, statesman, scholar, man of books, man of brains, man of affairs, husband, father, philanthropist, neighbor, friend — there is not another who will measure quite as large as the good man who has just gone.

Mr. Carl Schurz, writing in *Harper's Weekly* (of January 28, 1893), declared: —

It may be said without exaggeration that public station in this country has seldom, if ever, been graced by a man of purer character, or higher and more conscientious conception of duty, and more patriotic motives. President Hayes assumed the duties of his office under circumstances of unusual difficulty. Had he been a selfish politician, or a man of no more than an ordinary measure of moral courage, he would have sought the favor of the most powerful elements of his party, that they might fight his battles for him. This he did not do. He had nothing in view but the great interests of the country. . . . He stood firmly by his principles. The Southern policy was maintained, the resumption of specie payments successfully effected, and the financial honor of the country preserved. It is true that the practical reform of the civil service fell short of the original programme; but considering that his predecessor had abandoned the whole system, that President Hayes and the heads of departments under him had to work without any appropriations for the purpose, and were at every step obstructed and assailed by a hostile Congress, it is remarkable, not that not more, but that so much of permanent value was accomplished. . . .

The ordinary politician has been, and probably will remain, fond of saying that the Administration of President Hayes was a political

failure. But what is political success? If it consists in devising and carrying through measures and policies salutary to the country, then the Administration of President Hayes, which sowed new seeds of peace, patriotism, and prosperity in "the States lately in rebellion," which gave new and vigorous vitality to the then moribund reform of the civil service, which infused a new spirit of purity and conscience into our political life, and which then was followed by a victory of its party mainly owing to the general contentment with the recent conduct of the Government, has been the most successful of all Republican Administrations excepting only that of Abraham Lincoln.

At a memorial meeting of the Ohio Commandery of the Loyal Legion at Cincinnati, February 1, 1893, General Keifer, who made the principal speech, said: —

I knew General Hayes well; early in the war I met him. He was then a man of mature years, of sound and deliberate judgment, the same I have seen him exhibit under all circumstances since; sincere, candid, frank. He was the same as a soldier, as a citizen, as President of the United States, as Governor of Ohio, — all the way through life. He never sought to shirk a duty or spare himself. He was a great man in the great things that he had to do. He dealt with the things that were before him. He was never dealing with imaginary things. If he had work to do, he devoted himself to that. In that way he crowned himself with greatness; and this was in military matters and in civil matters, in official life, in private life; and this is the highest encomium that we can pronounce upon an American citizen. Hayes lived in a great epoch in this country; in a period of great things and great events, and he filled to the full all of the opportunities that were brought to him. In the army he was devoted to his work; brave, patriotic; capable of commanding an army, but proud to command a division or a brigade and to become a success there. He never worried because he was not at the head of the army. He would have been a patient colonel all the time. These were the things that had much to do with making up the elements of greatness in the man.

I served in the Congress of the United States during the entire period of his Presidential term, saw him frequently and under all circumstances, — and it was not always fair weather, — but President Hayes was cheerful and on duty all the time, by day and night faithfully, and making his work count for the present and the future. President Hayes never had a scandal about the White House. Nobody dreamed of his being anything but patriotic. Everything was clean and pure about him. Men criticized him from one standpoint, and some from another; yet he never turned aside from his duty as he saw it. He had his standard of duty and he lived up to it. And the result of it was, that if he erred and had shortcomings, he had no apologies to offer, and criticism has never feazed his pure administration of the Presidency.

The commandery later adopted a minute, prepared by a committee consisting of William McKinley, Robert P. Kennedy, and Moses M. Granger, which had these sentences: —

His works and charities enrich and ennoble his memory, and he has left behind him a wealth of good deeds more priceless than worldly riches. Rutherford B. Hayes was one of nature's noblemen. Unassuming, he yet possessed the courage of strong convictions, and was ever ready to defend his opinions and judgment to the last.

Every battlefield which saw his presence witnessed his devotion. Every contest testified to his intrepid valor, whether leading the splendid regiment with which his name is and will be forever associated, or in wider fields, gathering the renown which his patriotism, courage, and ability won from the willing hearts of his countrymen.

True in his friendships and lasting in his devotion to his old comrades, he never forgot a friend, nor failed to remember the sacrifices they had made. And those who had served with or under him always found him the same generous, manly, and kind-hearted companion.

The political preferments which came to him at the hands of his countrymen did not spoil him nor destroy his usefulness and sincerity; but from every position to which he was elevated by the suffrages of the people, he came with the self-consciousness of having performed his duty ably, honestly, and faithfully; and after generations will do him the justice to recognize him as one of the wisest and best of the nation's great leaders in the most trying hours of national reorganization.

The country has lost one of its great statesmen and one of its most faithful defenders. His old army comrades have lost a brave commander, an honorable associate, and a wise counsellor: the Loyal Legion one of its most devoted and beloved Companions. And as citizens we have, each and all, lost a devoted comrade, a true and faithful friend. That which remains for us to cherish is the memory of this clean-handed, mild-mannered, clear-minded, noble-hearted patriot, statesman, and philanthropist —

> "A combination and a form, indeed,
> Where every god did seem to set his seal,
> To give the world assurance of a man."

At the annual encampment of the Grand Army of the Republic of Ohio in 1893, Governor McKinley, who, it will be remembered, was throughout the war in Hayes's regiment, said: —

I never saw a braver or a better soldier than Rutherford B. Hayes. He was a pure man — pure in his life, pure in his walk, pure in his conversation; his whole life was an example to the young men of the United States. In all the years I knew him, I never heard him utter an oath, or utter a sentence that might not be spoken in the most polite society of the world. Clean in heart, he was clean in speech. He hated anything

unmanly; and his arm was never lifted against the right, for his soul abhorred wrong. I can say of him, as was said of another great statesman, a

> — "divinely gifted man,
> Whose life in low estate began
> And on a simple village green;
>
> "Who breaks his birth's invidious bar,
> And grasps the skirts of happy chance,
> And breasts the blows of circumstance,
> And grapples with his evil star;
>
> "And makes by force his merit known,
> And lives to clutch the golden keys,
> To mould a mighty state's decrees,
> And shape the whisper of the throne;
>
> "And moving up from high to higher,
> Becomes on Fortune's crowning slope
> The pillar of a people's hope,
> The centre of a world's desire."

General R. Brinkerhoff, long a member of the Ohio Board of State Charities, speaking before the Prison Congress at the World's Fair, Chicago (June 7, 1893), said: —

Upon the whole, as a model American citizen in character and conduct, in all the relations of life, I do not believe we have a better example in American history. . . . As his life is seen in its true perspective, I am very sure that no American President, who has yet lived, will be remembered more gratefully by the American people. He was not a brilliant or showy man and manifested no transcendent genius in any department of human endeavor, except perhaps the genius of common sense; but in every position he was placed he manifested a broad-minded comprehension of its requirements and discharged its duties ably and with marked integrity.

And the Reverend F. H. Wines, who had been closely associated with Mr. Hayes in philanthropic work, speaking before the Congress of Charities, Correction, and Philanthropy at Chicago (June 12, 1893), said: —

I think the quality in him which impressed us most was his superb self-control. He was master of his thoughts, master of his appetites, master of his passions, master of his tongue. His will dominated his body, and his conscience dominated his will. . . . He was never known to speak unkindly of a human being. He determined that, after leaving the White House, he would not be interviewed on politics, and I have seen the discomfiture of an overzealous reporter who attempted to

accomplish the impossible. The fire in his eye, the set firmness of his mouth, and the gentleness of his voice, as he repulsed him, will live in my recollection forever. And the patient reserve with which he submitted to abuse and misrepresentation, without opening his lips in apology, extenuation, or explanation, trusting his reputation to time and to the impartial judgment of history, was sublime.

He entered the White House under the most extraordinary circumstances, under bonds to enforce a policy of pacification which was most unpopular with his own party, and for which he received but scanty acknowledgment from the South, though Wade Hampton has truthfully said that the South owes him a debt which it can never repay. He planted himself upon what he believed to be the right, and stood there like Simeon Stylites on his pillar in the desert, almost deserted by the politicians, compromised as a Republican by the attention shown him by Southern Democrats, and sustained only by his conscience and by the echoes of approval which reached him through private letters from scholars and from the common people. If Mr. Tilden suffered the stings of fate, President Hayes was a far greater sufferer. His only consolation was the spectacle of the irresistible rising of the tide of returning reason on the part of the Republicans, who were compelled to sustain him, when he resisted the attempt to attach political riders to the bills making appropriations for the support of the Government, a struggle in which he exhibited the courage of a Spartan and the self-possession of a sage. Yet he died unforgiven by those whose will he had crossed, with a willow at the head of the grave where there should have been planted, and will yet be planted, the laurel and the olive tree.

Senator Dawes, addressing the Lake Mohonk Indian Conference of 1893, declared: —

No President of the United States had ever before been elected by the narrow margin which placed him in the chair, nor had the title of any other President been determined by any such law as placed him there. And no man — I venture to say that it is the common judgment of the American people of all parties, looking back upon those times — no man with less of discretion and acknowledged honesty of purpose as well as devotion to the good of the country could have been, under the passions and bitterness of party politics, placed there, as he was, and commanded, as he did, the acquiescence alike of political friend and political foe. And that, too, without a ripple of disturbance in the public mind, or outbreak of passion in the party press of the country.

His Administration was marked by a purity that, without disparagement of any other, has hardly been found in the history of the country. During it all there was not a breath of scandal, and during it all there was no criticism which passed beyond that of honest difference of opinion as to policy and the political principles upon which government ought to be administered.

When he retired from office, he did not consider that he had retired from the service of his fellow men. . . . The ancients inscribed on a monument erected in honor of one of their illustrious men these words: *Cujus negotium an otium gloriosius incertum.* (It is uncertain whether he was more illustrious in his public service or in his private life.) So with our friend. Rich as is the example which he has left to us of his public service, the loveliness of his character and the sweetness of his temper, and the daily beauty as well as the noble work of his private life shine out to cheer and bless, and, I trust, to improve the life of those who knew him as I did.

At a memorial meeting of the alumni of Kenyon College, at commencement time, 1893, speeches were made by distinguished alumni relating to every phase of Mr. Hayes's career. Mr. William C. Reynolds said: —

President Hayes in his inaugural pledged himself never to be a candidate for reëlection, and therefore he was free to carry on his Administration in singleness of mind and unselfishness of purpose, to carry out the policy which commended itself to him. When his term ended, he left his exalted post with no unsatisfied ambitions, with no torturing desire to return to the stage which he had quitted, and, in the spirit of Goethe's splendid aphorism, he was ready to turn each day to the nearest duty. The duties of private life were to him as sacred and as ennobling as those which attracted the attention of the world, and he left no hour untouched by his devotion to duty, by his love of mankind. Of him it may certainly be said that he considered of one blood all the nations of the world. His sympathies went out for the poor Indian and he aimed to redress some of the century of dishonor which has attached to our nation. He sought to lift up the black man from the degradation which centuries of slavery had stamped upon him; but while his sympathies ran out towards the poor and oppressed, he was equally the friend of all. . . .

He was a man of rounded character, and with the desire for honorable fame. He was fortunate in his life, and I deem him fortunate in his death. He had filled the measure of his day; he went in the full maturity of his powers — honor, love, obedience, troops of friends. His presence has gone forever from our sight, but his name and his memory are a rich legacy to those who loved him and an inspiring example to us all. Sincere student, earnest friend, wise counsellor, tried patriot, brave soldier, friend, neighbor, brother — Hail and farewell![1]

[1] The tributes from which these passages have been taken would, if printed in full, make a fair-sized volume, and they are only a few out of the multitude that were published in the months following Mr. Hayes's death. From the numberless editorial articles in the daily press, the limitations of space forbid quoting more than these paragraphs from the Cincinnati *Tribune*: —

"General Hayes was not a great man in the sense that we have come to look

These citations, and countless others of a similar tenor could be adduced, bear eloquent testimony to the impression made by the personality of Mr. Hayes on men of force and character who knew him well and who were long and intimately associated with him in his public career or in the benevolent activities of his later years. Familiarity only deepened their regard and heightened their respect for his character and his powers. They never had any doubt of the true greatness of the man. He might not possess transcendent intellectual gifts, nor the brilliancy and imaginative power displayed by great orators, but he had, in equipoise and under complete control, all the solid qualities of character and mind which fit a man to win the confidence of his fellows and mark him for their chosen leader.[1] These were a clear and penetrating intelligence, impregnable to the assaults

upon Webster and Clay and Lincoln as great men, yet he never assumed a public duty that he did not discharge with a fidelity and intelligence that left nothing to be desired. From the humblest to the highest position duty was his watchword, conscience his guide, and love of country his inspiration. Happy the nation with such a trinity embodied in an intelligent public servant.

"Familiar with examples of partisanship exalting men into party idols, he refused the worship which intense devotion to party might have won, preferring the more honorable and enduring reputation which comes alone to him in whom love of country is paramount, and he lived to reap that honor, despite his connection with trying events which intensified partisan bitterness to the verge of national destruction. Had he been the mere partisan he could not have survived the contumely that connection provoked.

"With a tact and wisdom so rare as to be unparalleled in our history he long since conquered the hostility of his political foes and placated those of his political friends who were too intensely partisan to appreciate the justice and candor of his methods and the transparent purity of his public policy.

"The arts of the politician, deemed so essential to political preferment, were unknown to him, or, if known, were untried, for he considered no cause promoted by a victory dishonorably won. In this he ignored party traditions and for a season rendered himself obnoxious to party leaders, but he left his party stronger than he found it, thus vindicating the wisdom of his policy.

"He was not of those who consider all virtue and wisdom to reside in his own party, hence he was in no offensive sense a partisan, because he was, first of all, a patriot. His political creed was summed up in the now familiar phrase: 'He serves his party best who serves his country best.'"

[1] Words used by Mr. Hayes, February 10, 1886, at the banquet of the Loyal Legion at Cincinnati, in speaking of General Hancock who had just died, can be applied with more force and propriety to Mr. Hayes himself. He said: "If, when we make up our estimate of a public man, conspicuous both as a soldier and in civil life, we are to think first and chiefly of his manhood, his integrity, his purity, his singleness of purpose, and his unselfish devotion to duty, we can say truthfully of Hancock that he was through and through pure gold."

of sophistry; a judgment, cautious and deliberate in its action, but when once formed not to be shaken from its conviction; a will that did not waver; sincerity and honesty of mind and act; absolute veracity and candor in speech and conduct; faithfulness in discharging every obligation imposed on him or assumed by him; constant and unquestioning obedience to the commands of duty; a conscience void of offense; a patriotism that rose above party, that was founded on intense faith in the American Constitution and an abiding belief in the high mission, under Providence, of America in the world, and that was ready to give his life for the country's welfare; an understanding of the common people — the great masses of his fellow countrymen — and full sympathy with their needs and aspirations; unselfish interest in all wise endeavors for the public good. And with all this he was

> "Rich in saving common-sense,
> And, as the greatest only are,
> In his simplicity, sublime."

Many who wrote or spoke of him at the time of his death applied to him the words of Tennyson just quoted from the ode to the great Duke. Equally appropriate are these other verses from the same noble poem: —

> " O good gray head which all men knew,
> O iron nerve to true occasion true,
> O fallen at length that tower of strength
> Which stood four-square to all the winds that blew!
>
> "He is gone who seemed so great. —
> Gone; but nothing can bereave him
> Of the force he made his own
> Being here, and we believe him
> Something far advanced in state,
> And that he wears a truer crown
> Than any wreath that man can weave him."

CHAPTER XLIII

PERSONAL CHARACTERISTICS

IT is an impossibility ever to give a complete portrayal of the life and character, the interests and endeavors, of any person who has played a conspicuous rôle in the drama of human existence. The multiplicity of incidents and events in which he has had a share; the shifting currents of public opinion which have influenced his thought; the complex relationships of life, domestic, social, professional, political, which have affected his conduct; the inner and spiritual forces, due in large part to heredity and environment and early training, but modified by culture and self-discipline and increasing knowledge, which are the hidden sources of a man's real character, which determine his attitude toward life, which condition his motives alike in ordinary affairs and in the crises of his career, — how can all these things be adequately set forth on the printed page? We never know even our nearest friends in all the intimacies and implications of their character, in all the possibilities of their powers, though in essentials our conception of them be quite correct. How much more difficult fully to grasp and then to delineate precisely as he was a man who lived in other days — not so very remote in time, to be sure, but when the thoughts that shook mankind, the passions and aspirations that provoked controversy and roused to action, were so different from those which men now are finding most important. Only by patient effort and sympathetic imagination can one really enter into the feelings and hopes, the ideals and motives, of such a life. And even so, however vivid one's own conception may be, one never can be quite sure that one has not overlooked or overestimated some fact or quality, nor fail to be conscious of the perils of overemphasis or of inadequate expression, when one strives to make that conception live in the written word.

The portrayal of Mr. Hayes, as he lived and acted, which has been presented in the preceding chapters, is believed to be

essentially accurate in statement of fact and in interpretation of spirit. But certain other details should be added, many, perhaps, of slight intrinsic importance, in order better to understand what manner of man he was.

In personal appearance Mr. Hayes at the time of his election to the Presidency was a handsome man, with well-proportioned figure.[1] He was five feet eight and one half inches in height, and his weight was around one hundred and seventy pounds. In his earlier manhood he had been somewhat slighter, but his four years of campaigning and of open-air life gave him a more stalwart frame. At times in the White House and later his weight approached one hundred and ninety pounds, but seldom went above one hundred and eighty. He was strong and vigorous physically, walked with a light, elastic step, and delighted in outdoor exercise. In his student years he was fond of athletic sports, and when his sons were growing up he would join them in their games. He was an expert rifle shot and never lost his zest in firing at a mark. This was one of his means of recreation while he was President. He liked to drive, and always at Fremont had a pair of excellent carriage horses. He was fond of his dogs and took pride in his herd of fine Jerseys. His grounds were an abiding source of pleasure to him, and he was never happier than when planning to enhance their attractiveness, opening new vistas, and planting and nurturing new trees and shrubs.

Mr. Hayes had a large head, well poised on broad shoulders. His features were mobile and expressive. The forehead was high and massive; the nose, straight and finely chiselled; the lips, firm but sensitive; the teeth, white, sound, and regular. The eyes, rather deeply set, under arching brows, were dark blue. They looked you straight and steady in the face, having no fear or apology or concealment in them, and usually beamed benignant; but on occasion they could flash with the fire of

[1] The Boston *Transcript* said editorially of him at the time of his visit to Boston in June, 1877: "President Hayes strikes observing people favorably, in the first place, from his robustness of form and remarkable cranial development. Beyond any acquirements, the result of culture or experience, his whole presence conveys the idea of a stalwart manhood. He admirably represents the highest type of Western civilization. His manly figure, honest, brave, thoughtful, and occasionally lustrous countenance, together with the quiet, unmistakable force which forms an essential feature of his individuality, mark him as a leader."

battle or of righteous wrath, or could darken with scorn or indignation. Increasing age did not weaken their strength nor dim their vision. To the end of his life Mr. Hayes never used glasses.

He had abundant hair of a dark brown color, though still showing hints of its earlier auburn shade, which he parted low on the left side and brushed well back from his forehead. He always wore a full beard from the time he entered the army. This had a reddish or sandy tinge. Already both beard and hair had begun to show slight traces of grey, which became more pronounced in the White House, and in the last years they were completely silvered.[1]

Mr. Hayes was most gentle in manner and speech. His voice was mild and evenly modulated; but it possessed a vibrant, penetrating quality which gave it great carrying power. He could always be heard in the largest assemblages, and in open-air political meetings few speakers could make themselves audible to a greater multitude. On the battlefield his commands rang out like clarion calls.

Mr. Hayes had no affectations or vanities of apparel or demeanor. He dressed simply and well in the prevailing fashion. He wore no jewelry, unless watch and chain and a plain gold ring

[1] An occasional correspondent of the London *Times*, writing from Washington December 5, 1877, gives this pen-portrait of Mr. Hayes, after seeing him at an informal reception one evening at the White House: "I was struck by the perfect simplicity and polish of the President's manners — dignified, though not stiff, and full of the hearty abandon of a man who feels himself at home and among private friends. Many years ago I had been in the habit of seeing President Pierce at the White House, the charm of whose manner and presence was proverbial in that day, and the actual President recalled him vividly to my mind, in appearance as well as in manner, and especially in the frank, soldier-like bearing and speech, and the total absence of all affectation or humbug in manner or conversation. Mr. Hayes is a man in the very vigor and prime of life, apparently in the enjoyment of perfect health both of mind and body. He is above the medium height, powerfully but compactly made, with broad shoulders and chest; an upright carriage of the head, clear eyes which look straight into those of his interlocutor, and fair hair and beard, into the latter of which some silvery hairs are beginning to make their appearance, premature as they may be for so comparatively young a man. Personally he certainly is a most prepossessing man, both in manner and appearance; and he looks as though he should be both a prompt and a decided one in character. The contrast between himself and the military 'Sphinx' lately encamped at the White House is most striking. The camp equipage and associations, and 'aides in waiting,' have disappeared from the Presidential mansion, and the stamp of a citizen President is on it once more."

can so be called; nor any ornament except the simple insignia of the Grand Army and the Loyal Legion. One cannot conceive of him as appearing at a convention or in any public gathering in military garb, or sombrero, or flaunting a bandanna. He had an instinctive aversion to all personal display, to any action that savored of ostentation. He practised none of the arts or devices in manner or speech of the demagogue. He never solicited a nomination to a political office of low or high degree; he never sought promotion in his years of military service; he never strove to obtain any honors or distinctions in the varied relations of private life, or the army societies, or the organized movements for public benefit in which he shared. Nominations, promotions, distinctions searched him out and were pressed upon him.[1] The fidelity and conscientiousness, the ability and sound judgment with which he administered every office to which he was chosen, and fulfilled every obligation that he assumed, justified and approved the confidence of his sponsors and supporters and prepared the way for his further advancement. The master motive of his life, the mainspring of his conduct in public service and in private relations, was an imperious sense of duty; to be true to principles; to do that which he believed to be right on every occasion to the best of his ability. The very simplicity of this rule of life, which so easily explains his course of conduct in all the important crises of his career, constantly puzzled and bewildered men of more subtle quality, who, to accomplish their purposes, relied in no small part on the forces of indirection, on the agencies of intrigue, and on the artifices of compromise and combination.

Mr. Hayes was frank and outspoken in the expression of his views and sentiments to trusted friends, and in giving them to the public when he thought the proper occasion had arrived. But he never talked on a subject before he had thought about it; and no politician or reporter for the press, however pertinacious,

[1] "One of the fortunate facts in my career is that I never had an overweening fondness for political life. My ambition for station was always easily controlled. If the place came to me it was welcome. But it never seemed to me worth seeking at the cost of self-respect, of independence. My family were not historic. They were well to do; did not hold or seek office. It was easy for me to be contented in private life. An honor was no honor to me if obtained by my own seeking." (Diary, July 3, 1890.)

could extract a word from him when he chose to keep his own counsel. His singular power of reticence was the despair of the "interviewer" and the admiration of his friends. Judge William Johnston wrote to him as early as March 17, 1868, when he was a comparatively inconspicuous member of Congress: "Next to U. S. Grant, you can keep your mouth shut better than any man in America, and next to U. S. Grant, I hope to see you rise to the place you merit."

People of all sorts and conditions felt no sense of constraint in Mr. Hayes's presence. While he preferred the society of men of ideas, he assumed no airs of superiority in meeting persons in the humbler walks of life.[1] He entered genially and affably into their interests, discussed the topics with which they were familiar, sought to get their point of view, and drew them out to reveal their special store of knowledge. A Scotch-Irish farmer of Michigan, of sturdy character, but slow of speech and heavy of intellect, never tired of telling of the great occasion when he met and talked with President Hayes. "Why," he said to the author in culmination of his words of praise, "he was just as common as any man I ever met"; meaning that he was just as easy to approach; that he had met this farmer on the level of their common humanity; that he had not talked down to him, but had conversed with him about the things that the farmer understood and was interested in. And this was his constant mood of mind when he was journeying about the country or

[1] The New York *Herald*, a few weeks after the inauguration, printed a report of a conversation with a gentleman described as "an intimate friend" of Mr. Hayes. The friend is not named, but the internal evidence justifies the characterization. This friend said of Mr. Hayes: "He loves children and they love him, and he unbends to them, but he has more adaptability than any man I ever saw. He seems to be at ease in whatever society he happens to be. He is fond of fun in a quiet way and does love a good story. Whenever he says anything good himself it is always in a quiet, odd sort of way. I remember when he was Governor of Ohio, during his first term, Olive Logan, while on a lecturing tour, was arrested in Columbus for not paying the municipal license which the proprietors of all public entertainments have to pay. She had a license under the Internal Revenue Law, and she supposed it covered the whole of the United States. Knowing Governor Hayes she called upon him and told him of her troubles. He referred her to a law firm and said to her, 'Of course, you will have to pay the license. I cannot do anything for you unless you will commit a felony and get into the penitentiary. Then I might pardon you out.' The lecturer did not avail herself of the Governor's offer."

mingling with the people. His intellectual curiosity was insatiable.[1] A familiar mode he had of greeting acquaintances was, "Well, what do you know?" He liked to ride in the day-coaches or to take a seat in the smoking-compartment for the sake of the opportunities of conversation that these afforded; and he never travelled without making acquaintances and so adding to his knowledge of men and to his understanding of the drift of public opinion. Any pioneer in the conquest of the wilderness, any man who had had unusual experiences in life, any man who had been or was active or interested in political affairs, was soon led on to tell the things most notable in his career; and scholar, scientist, artisan, or farmer, to discourse on the theme of which each had superior knowledge. Mr. Hayes was constantly recording in his diary the names and qualities of his chance travelling companions, with some hint of the more significant parts of their conversation. He had unusual power of remembering faces and names, even after years recognizing persons whom he had only met casually and for a short time.[2] His notion was that "conversation ought habitually to be frank and easy, but earnest and delightful." He liked to hear and to tell good stories, provided only that they were clean. His sense of humor was alert, both as to situations and as to persons. Solemn humbug and pretentious egotism could only provoke his merriment.

In all family and domestic relations Mr. Hayes's life was altogether exemplary. To his widowed mother he was constant in

[1] The friend, quoted in the preceding note, spoke of Mr. Hayes as "a man of fair education, but the most persevering, infernal searcher after knowledge I think the world ever saw, on anything and everything. Why, one day when I was walking with him he picked up a round, smooth boulder of conglomerate. He asked me what it was and how it got to be round. I did not then know that it was the attrition of water that had worn it smooth, and he walked me a long distance and up three flights of stairs until we found a man that did know."

[2] Miss Laura Ream, a well-known newspaper writer of Indiana in her day, gives an instance of this in a letter to the Cincinnati *Commercial*, dated Washington, April 8, 1877: "President Hayes has a remarkable faculty of remembering people. At his first reception I was presented along with a delegation from the sovereign State of Ohio. He said, 'How have you been?' in such a tone of recognition that I involuntarily exclaimed, 'You do not remember me.' 'Yes. I saw you at the dedication of the chapel of the Soldiers' Home, at Dayton. You were with Governor Baker.' I remembered the occasion distinctly. It was seven years ago."

the ministries of filial affection to the end of her days. Her pride in him was unbounded, and she never had fault to find with him except that he did not make public avowal of the Christian faith and unite himself with some church. He was equally constant in his devotion to his uncle, Sardis Birchard, who was practically his foster father, and who lavished upon him every care and assistance, in his education and in his subsequent career, that any father could bestow. Between him and his sister, from their earliest years to her untimely death, the most intimate bonds of affection and friendship existed, with never a shadow of misunderstanding or doubt to cloud the constancy of their loving relations. She was the confidante of all his hopes and day-dreams, of all his thoughts and aspirations. He never had a joy but his first wish was that she might share it with him. He incurred no difficulty or disappointment that was not eased by her counsel and sympathy. He mourned her loss throughout his life, recurring frequently in his diary to her many excellencies of heart and mind, to the influence she had had in his development; and recording with pride, long years after her demise, any expressions from those who had known her touching her beauty of person or character that chance brought to his knowledge. To her children he was throughout his life almost like a second father in his interest in all that affected their welfare and in the tenderness of his regard.

His marriage brought him abiding content and constant felicity. There was perfect union of sentiment and thought, of purpose and ambition; that complete understanding and sympathy and appreciation which keep the mind at ease and give it stimulus for its best endeavor. Mrs. Hayes's graces of mind and character contributed greatly to his success in public life. Her belief in him was a spur to his ambition. Indeed, she was perhaps more ambitious for him than he was for himself. It is doubtful whether any other American public man ever had from his wife more efficacious assistance in his career; not, to be sure, in any assertive or obtrusive way, but by reason of the silent and subtile forces of her stimulating sympathy and of her unwavering confidence in his abilities and purposes. She was gifted with more striking qualities of popularity, with a more magnetic personality, than he. No one came into her presence without

immediate consciousness of her charm. Political opponents and critics of her husband had only words of enthusiastic praise when her name was mentioned. It is impossible to estimate how great influence her unfailing courtesy and tact and kindness, through all the White House days, exerted in softening the asperities of political contention. Unquestionably true it is that this influence was very great. To the end of her life no cloud ever obscured the constancy of their mutual love and confidence. The passing years only increased their dependence on each other. Mr. Hayes had joy and pride in all that his wife was, and in all that she did in her church and benevolent activities; and he gloried in all the honors and social distinctions that were bestowed upon her. And when Death claimed her he felt that the light of his life was extinguished and that his path henceforward must be in gloom.

Mr. Hayes watched and directed the development and education of his children with solicitude and affectionate concern. He was never harshly censorious or arbitrary in his methods of dealing with them. They were from earliest youth treated as reasonable beings, with individual qualities and individual rights, deserving of recognition and respect. When admonition was necessary, it was given in gentle, kindly manner, and was made to appear not so much as the judgment of parental authority as the dictate of right and reason. He made himself the comrade and companion of his sons in their studies and their sports, treating them rather like an older brother or friend, whose larger experience of life entitled him to be their guide and counsellor. So always there existed between father and children relations of confidence and equality besides those of paternal and filial affection. He was not given to preaching to the children or to moralizing. The force of the daily example of life, the spirit of right principles and utter truthfulness and regard for all the better things — "the things that are more excellent" — which permeated his discourse and governed his conduct, were more influential than abstract inculcation of morals. But when any specific fault required correction he was prompt to say the needed word. In the busy time of the Cincinnati convention a letter came to him from one of his sons, who was with the politicians at Cincinnati, in which some vulgar characterization of

one of the candidates by a delegate was repeated. In spite of the press of matters absorbing his attention, Mr. Hayes instantly wrote his son in reproof, admonishing him never again to soil a letter with such a recital. This reproof, under all the circumstances, made a deep and lasting impression. To his sons when they left home for school or college his parting admonition was: "Never do anything or say anything that you would be ashamed to confide to your mother." In the frequent letters to his sons and daughter in their school and college years, there was manifested the same quality of easy companionship and equality that was displayed in the home life. Any corrections or notations of faults that were offered or suggested were made in a half-playful or incidental way that could not wound the pride or self-esteem of youth.

Mr. Hayes had a deep sense of the ties of consanguinity. He was the first of his family name and connection to achieve great distinction. And yet there were many of his sturdy New England ancestors who had played well their part in life, and there were many of his blood among his contemporaries who in professional or business pursuits had risen far above the common level. His ancestry and family were no more notable, to be sure, than multitudes of others that exemplified the virtues of the Puritan discipline and bore their share in subduing the forests and winning America to civilization and freedom. But the study of origins had a perpetual fascination for him, and he never grew weary of searching out the beginnings and vicissitudes, the migrations and ramifications of the Hayes and Birchard families. He made numerous visits to the localities of their early settlements in New England; and especially to the Brattleboro country in Vermont, whence his father had migrated to Ohio, and where many relatives still abode. He pursued his genealogical studies also by means of long-continued correspondence, not only with his nearer relatives, but with cousins of remote degree, and so accumulated a vast fund of information relating to all branches of his widely scattered kinsfolk. He succeeded likewise in obtaining many old family letters, diaries, and other documents, and many pieces of ancestral furniture. He became similarly interested and alert in tracing the ancestry of Mrs. Hayes. And yet, with all his interest and zeal in genealogical

inquiry, Mr. Hayes did not attach overmuch importance to the matter. He writes of it very sensibly in his diary (March 6, 1870): —

I have been digging into Savage and other books on genealogy during the last week. I trace my lineage up almost to the Mayflower, but not yet into it. I have only run back on the line of my father's side of the house, and the important family of the Smiths is left out; almost one half of the stock. To be exact it leaves out exactly one fourth of the stock, as I find nearly one half of the Smiths. Now, the new idea I get by this study is, how futile it is to trace one's descent from a distinguished name in the past. Two hundred and thirty or forty years ago, my ancestors were thirty to a hundred different persons. The Hayes or the Rutherford of 1625 was only one out of forty or more who are equally my ancestors. What does it signify that John Russell was able and pious in 1640? I am but one part in forty to sixty of his blood.

We attach more importance to the deeds of ancestors of our own names. But this is a mere figment of the imagination. I am just as much a Trowbridge, referring now to the Thomas Trowbridge who founded the family in New Haven in 1640, as any of those now living there who bear his name. The blood, the physical, mental, or moral qualities which distinguished an early "father" do not follow the name, do not accompany it. I have always thought of myself as Scotch, but of the fathers of my family who came to America, about thirty were English and two only, Hayes and Rutherford, were of Scotch descent. This is on my father's side. On my mother's side the whole thirty-two were probably all of other peoples beside the Scotch.

Again, I have been proud of my descent (not very, of course, only a trifle so) from the famous Rutherfords; but it is plain that the brains, energy, and character possessed by my grandfather's children and grandchildren — by the children and grandchildren of Rutherford Hayes — are mainly derived from our plain ancestor — who Uncle Sardis says was the homeliest woman he ever saw — Grandmother Chloe Smith.

Mr. Hayes was always ready to assist any of his relatives or family connections to the extent of his ability; but he rigidly refused while President to appoint any one of them to public office, whatever his merits might be. The nepotism of President Grant had been so great as to be a scandal, and Mr. Hayes resolved that no favoritism of family should mark his Administration.

There is no better test of a man's character, perhaps, than the quality and number of his friendships.[1] In whatever community

[1] Mr. Hayes's notion of friendship is well expressed in a letter, of May 21,

Mr. Hayes lived and in whatever relations of life he was placed, he sought the companionship of the best and ablest men, and the society of pure and noble women. Persons of this sort were attracted toward him and became his lifelong friends. It would require pages merely to set down the names of men of distinction who counted themselves in this group. In the early Cincinnati days his friends were such men as Salmon P. Chase, Judge William Johnston,[1] Judge William Dickson, Ainsworth R. Spofford, Stanley Matthews, John W. Herron, Alphonso Taft, Dr. John Davis, Manning F. Force, Moncure D. Conway, and William Henry Smith. Among men of the army his friends were very numerous; General Grant, General Sherman, General Sheridan, General Hancock, General Pope, General Crook,

1890, to Mrs. Herron: "There can be no satisfactory relations between friends whose differences are so decided and clean-cut on so many of the vitally interesting topics. In such cases we cannot keep together if the questions which are tabooed are many and interesting. I believe in the friendship which Emerson describes in the finest, perhaps, of his essays: 'A friend is a person with whom I may be sincere. Before him I may think aloud. . . . Almost every man we meet requires some civility — requires to be humored; he has some fame, some talent, some whim of religion or philanthropy in his head that is not to be questioned, and spoils all conversation with him. But a *friend* is a sane man who exercises not my ingenuity but me. My friend gives me entertainment without requiring *any* stipulation on my part.' . . . 'I am equally balked by antagonism and compliance.' I threw in that last sentence out of all connection, happening to see it, because it seems to me that it hits the only danger in our relations of friendship."

[1] "I hear to-day of the death of my old friend Judge Johnston, a lawyer unsurpassed before a jury; a master of English pure and undefiled, with a knowledge of human nature rarely equalled, aged eighty-four. Not a successful man either in attaining place or accomplishing things for the public. Acquired a competency. With wit, logic, eloquence, shrewdness." (Diary, October 17, 1891.)

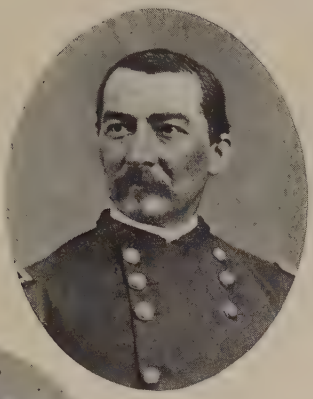
"Judge Johnston outlived his contemporaries. His talk was of Charles Hammond, of Benjamin Tappan, of John C. Wright, Philip Doddridge, Thomas Ewing, Henry Stanbery, and the other giants of the bar whose example was the spur to his young ambition. He was a man of few books, but the few he loved were the great books and he had them at his tongue's end. The Bible, *Pilgrim's Progress*, *Paradise Lost*, and especially Shakespeare were his favorites. He was fond of young men. Coming to Cincinnati more than forty years ago, I soon became fond of him and learned to prize and enjoy his teaching. During two winters, one or two evenings a week at his house with other young men, Shakespeare was read carefully under his shrewd and wise criticism. His arguments before courts and juries were prepared in the most painstaking way. He used to say that no man was fit to be an advocate who could not by his illustrations and treatment make the dryest question interesting to the average citizen." (Diary, October 23, 1891.)

General J. D. Cox, General Comly, and many, many others. Of these his most devoted friend was doubtless General Comly, who succeeded him as colonel of the Twenty-third Regiment. He was editor of the *Ohio State Journal* in the campaign year of 1876, and during the exciting days, while the electoral dispute was in progress, he was for a time in Washington, at President Grant's request, to speak from his own knowledge in defining Mr. Hayes's attitude. He was a newspaper writer of great force and intelligence and a man of the most amiable qualities.[1]

It is possible to specify only a few of the men in political life who were something more than mere political friends. Every member of his Cabinet became his personal friend and continued to correspond with him in his later years. Mr. Sherman and Mr. Schurz were closest to him in sympathy, but all the others were loyal in their regard. All the Presidents from Lincoln to Taft he knew, and with all from General Grant on he had pleasant personal relations, with the possible exception of General Arthur. Between him and McKinley feelings of positive affection existed, beginning in the days when they marched and fought together and growing with the years of McKinley's political advancement. Mr. Roosevelt had been associated with him in the prison reform movement; and Mr. Taft he had known from a boy, being present at his marriage with the daughter of his old friends, Mr. and Mrs. John W. Herron.

The men most closely associated with him in the Loyal Legion, in the administration of the Peabody and Slater funds, and in the prison reform work, all became his personal friends. This is evident not only from Mr. Hayes's records in his diary, but from the tone of their letters to him. They were seldom of a purely business character. It is, indeed, quite remarkable how many of Mr. Hayes's friends, more especially, of course, those who had known him longest and most intimately, wrote him in explicit terms of affection, such as men are chary of addressing to one another. It is also worthy of note that none of the men who knew him best were in the least surprised at his attainment of

[1] He visited New Orleans soon after Mr. Hayes was inaugurated and gave the President a long and extremely interesting report, as the result of his observation, on the political conditions of Louisiana. Mr. Hayes appointed him Minister to Hawaii. On his return to this country he resumed editorial work at Toledo, where he died a few years later.



GENERAL WILLIAM T. SHERMAN

GENERAL PHILIP H. SHERIDAN

GENERAL ULYSSES S. GRANT

MAJOR-GENERAL GEORGE CROOK

MAJOR-GENERAL WINFIELD SCOTT HANCOCK

the highest honors; or ever had any doubt regarding his merits and abilities.

In the wide circle of his women friends, apart from his relatives, those whom he found most congenial and sympathetic were Mrs. Herron and Mrs. Davis, of Cincinnati, Mrs. L. C. Austin (the wife of a kinsman), of Cleveland, and Mrs. A. H. Miller, of Fremont. These were all women of unusual grace of personality and of superior intellectuality and refinement.

Of all Mr. Hayes's friendships that of the longest duration was the one formed in college days with his classmate, Guy M. Bryan, of Texas. It was an instance of the strong attraction of opposites. Mr. Hayes was a typical Northerner; Mr. Bryan, a typical Southron. Each was intensely loyal to the traditions of his section. But each always strove to understand the other's point of view and not to allow his judgment to be swayed by mere prejudice. Constant correspondence was kept up between the two throughout their lives, except during the period of the war, when they were fighting for their convictions on opposite sides.[1] Soon after the dawn of peace they found each other again and renewed their interchange of views. Mr. Bryan, who was a Democratic leader in his State, let the Texans know through the press his high estimate of Mr. Hayes's character and principles when he was nominated for the Presidency; he thought, indeed, it would not be a bad idea for the Democrats to second the nomination — he had such confidence in the patriotic purposes and especially the good intentions of his friend toward the South. It is very probable that Mr. Bryan's letters, which were full and diffusive, discussing all phases of the Southern question, the condition of the two races and their mutual relations, were among the influences that determined Mr. Hayes's attitude of mind toward all things Southern. Mr. Hayes's letters to Bryan were as free and full as to any of his friends; perhaps, indeed,

[1] At Camp Green Meadows, West Virginia, July 18, 1862, Colonel Hayes wrote in his diary: "After drill a fine concert of the glee club of Company A. As they sang 'That Good Old Word Good-bye' I thought of the pleasant circle that used to sing it on Gulf Prairie, Brazoria Coast, Texas. And now so broken. And my classmate and friend, Guy M. Bryan — where is he? In the Rebel army! As honorable and true as ever, but a Rebel! What strange and sad things this war produces! But he is true and patriotic wherever he is. Success to him personally!"

more so, because of their early intimacy. Unfortunately only a few of them are preserved. Most of them were swept away when Galveston was submerged by the waters of the Gulf.

Mr. Hayes's most intimate and most loyal friend, both personal and political, was William Henry Smith. Mr. Smith was born in New York, but had lived in Ohio from infancy, and felt himself to be an Ohio man in every fibre of his being. There was pride in the very tone with which he uttered the name of the State, and any person who professed to be an Ohioan at once commanded his interest. He was a man of large intellectual powers and sympathies and of very wide reading. The extent and particularity of his knowledge of American history and politics were a constant marvel to his friends. He always found time for his books and for literary work, however exacting and absorbing his business cares might be. With his keenness of intellect, his alertness in action, his tireless industry, he was generous and charitable in deed and word, and kept unstained the integrity of his soul. In friendship his name was a synonym of loyalty and devotion. He was making his mark as a young newspaper writer at Cincinnati in the years just before the war, when he was an ardent supporter of the new Republican party. Similar political principles and similar ideals of life brought him and Mr. Hayes together. They learned each other's qualities and they became friends for life. Mr. Smith was twice elected Secretary of State of Ohio. Then he became general agent of the Western Associated Press, with offices at Chicago; and, some years later, general manager of the combined Associated Press of the country, with headquarters at New York, doing more than any other man to make that organization the greatest news-collecting and distributing agency in the world. He had unusual aptitude for political effort; almost instinctive apprehension of political forces, and wonderful skill and tact in influencing their direction. It was he who first set people of Cincinnati to thinking of Hayes, fighting away in the Shenandoah Valley, for Congress; and three years later it was he who made the first suggestion of his candidacy for Governor. In the months preceding the national Republican convention of 1876, he did more than any one else, outside of Ohio, to prepare the way for Mr. Hayes's

nomination for the Presidency. During the period of doubt after the election he was steadily engaged in helpful efforts to reassure Southern Democrats of Mr. Hayes's pacific intentions. All through his term as President, Mr. Hayes often consulted him about men and measures, and always placed great reliance on his judgment and advice. Mr. Hayes appointed him Collector of the Port at Chicago, in which capacity he instituted many reforms in the revenue service. In all Mr. Hayes's later years, he was a frequent visitor at Spiegel Grove. The correspondence between the two was voluminous and characterized on both sides with the utmost frankness. Never did a false statement about Mr. Hayes appear in the public prints that Mr. Smith was not quick to resent it and to seek its correction. It is difficult to recall any friendship between two American public men, both of strong and positive nature, more unselfish, more constant, of longer duration, and marked with greater intimacy and affection, than that between these two men. It speaks goldenly for the high and fine qualities of both men.[1]

Mr. Hayes was not a great orator. He lacked the ardent temperament, the glow of imagination, the easy command of a rich and varied vocabulary, the peculiar sensitiveness to the

[1] Letters and diary contain frequent references to Mr. Hayes's esteem for Mr. Smith. Shortly after the return to Spiegel Grove we have this letter: —

SPIEGEL GROVE, FREMONT, OHIO,
29 March, 1881.

MY DEAR S., — I step out of the dust and confusion of getting into orderly living after our six years' absence, to ask, "Are you happy?" and "Do you know anything?" With us time passes swiftly and pleasantly. The escape from bondage into freedom is grateful, indeed, to my feelings. The equanimity of temper which has enabled me to bear without discomposure the vexations and anxieties that every day brought with it, during my term of office, no doubt relieved me from a great part of the strain upon the faculties which has broken down so many of my predecessors. But the burden, even with my constitutional cheerfulness, has not been a light one. I am glad to be a *freed* man. Now a word to you. My obligations to you I do not attempt to measure or to describe! You were at the cradle, and you have followed the hearse "of this ambitious life." I know that to you it has not brought the reward or the satisfaction which you deserved to have. No man ever had a more sincere, a more judicious, and a more unselfish friend than in this matter I have found in you. You have been generous, considerate, and forgiving. With all my heart I thank you, and beg you to believe me your friend ever. — Sincerely,

R. B. HAYES.

WILLIAM HENRY SMITH,
CHICAGO, ILL.

feelings and emotions of the auditors, which the great orator must possess. He was, however, an admirable public speaker — one who never failed to interest and to hold the attention of his hearers, whatever the occasion or the topic of his discourse; and he was an especially effective campaign speaker. His dignity of manner and appearance and his agreeable voice at once created a favorable impression. In his political speeches he appealed to the reason and judgment of his hearers rather than to their passions and partisan prejudices. It was as though he said to his auditors, "Come, let us reason together." Then in a familiar manner and in simple language he would lay the groundwork of fact and principles pertinent to the topic of the hour, and on this, in logical sequence, he would erect the superstructure of his argument. His controlling purpose was not to stir men's hearts, but by the calm presentation of facts, by the lucid exposition of principles, and by the orderly array of conclusions that he believed flowed necessarily from these premises, to convince their minds and bring them to his way of thinking. However vigorously he assailed the position and programme of the opposite party or criticized the political record and principles of the opposing candidate, he carefully avoided personalities or the aspersion of motives and purposes; and he never allowed himself to be influenced by a consideration of the religious opinions of candidates. He agreed with Burke that politics and the pulpit should be kept apart. While many of his public addresses were written out beforehand with great care, and ample preparation was made for all, the most of his campaign speeches and of his speeches on patriotic occasions, at old soldier gatherings, and the like, were *ex tempore* in their language. Not infrequently these were lightened with incidents or anecdotes or humorous allusions to illustrate some principle or to drive home an argument. The written speeches, like all Mr. Hayes's writings, are admirable for the clearness and precision with which the thoughts are expressed, and for the skill and order with which the arguments are marshalled. It was these things for which Mr. Hayes specially strove. He admired the indefinable graces of style which like an atmosphere pervade the writings of the masters of expression; but he himself never made great effort to attain unto them. He wrote with facility and with

correctness and propriety;[1] and there is never any misunderstanding of his meaning. His style, however, is devoid of particular distinction, and phrases of marked felicity flowed infrequently from his pen.

Mr. Hayes was an excellent presiding officer at any sort of public gathering, board meeting, entertainment, or banquet. He maintained control with ease, was quick to allay friction and to quiet contention, and was skilful in keeping the business in hand moving forward and in the right direction. Wordy disputes and irrelevant discussions he knew how to check with gentle firmness, and embarrassing incidents that might easily provoke bitterness and controversy he could with a few words of kindly deprecation or appeal smooth away or make to appear insignificant. He had a happy way of introducing a speaker so as to give him a sense of confidence and to win for him the instant attention of the assemblage.

One of the most striking qualities of Mr. Hayes's character was his attitude toward criticism, misrepresentation, and malignant detraction. He respected honest difference of opinion and was grateful for legitimate criticism.[2] If at any time he was convinced thereby that he had been at fault or had failed to take proper action, no pride of opinion or dread of being charged with inconsistency or vacillation prevented him from making due reparation. He was, however, so well assured in mind of the wisdom and correctness of all the great policies of his Administration that he refused to permit the censorious clamor of disapproving Republicans, or the aspersions and denunciations of Democratic defamers, to shake his purposes or to disturb his equanimity. He kept on the way his judgment and conscience

[1] The purist will find some faults to criticize. For example, like most Americans west of the Alleghanies and in the South, Mr. Hayes frequently used *will* and *would* when *shall* and *should* ought to have been written, and he now and then "split" his infinitives.

[2] "Touching my birthday, I was never on the whole happier than I am now. My health, and that of my wife also, is very good. Our elevation has not, I am sure, turned our heads. The abuse of us, and the honest but severe criticism do not sour us. I try to judge fairly as to what is said, and 'to improve' all just criticism. My Administration is no doubt stronger than ever before. The appeal to the people on grounds of a non-partisan character has been successful. I must in the future be more and more careful to do only what is wise and right." (Diary, October 5, 1878.)

approved with "amiable obstinacy," to use a phrase often applied to his manner; the quality Emerson speaks of in his "Self-Reliance" as "good-humored inflexibility." He refrained persistently, both while President and during all his later years, from making any public defense of his official acts,[1] however fiercely they were attacked, or any apology for the policies he sought to enforce, or any correction of the flood of misrepresentations and positive untruths — often of a pettiness and meanness beyond conception — which conscienceless newspaper maligners continued to pour forth. He knew that the motives which controlled his action were pure and patriotic and unselfish, and he believed that the courses he pursued were sound and wise. He was entirely willing to leave his acts to speak for themselves and to trust to the judgment of the future for their justification and proper appreciation. "The loud vociferations" of the time, therefore, he ignored; and through storms of unmerited execration and obloquy, of which there has been no parallel in all the many instances of disgraceful license and intemperance of the American press, he refused to be shaken from his determination to preserve silence. With unyielding confidence in the final prevalence of truth, he

> "Stood serene and down the future saw the golden beam incline
> To the side of perfect justice."

There was practical good sense in this determination. It was useless to deny falsehoods. Their authors would go on repeating them or would invent others. And it was a hopeless task to correct misrepresentations. Moreover, if correction or denial were made in any particular case, it would be assumed by the public that all falsehoods and misrepresentations that were not directly corrected or denied were truthful statements. It was better, therefore, to keep out of print and pay no heed to any

[1] This had been his habit likewise in regard to attacks on his conduct as Governor. In writing to the Honorable John F. McKinney, Piqua, Ohio, about some article in the *Democrat* of that town, on June 5, 1871, he said: "I do not wish this letter published, but you may show it to the editor of the *Democrat*, if you wish. I always prefer that the justification of my official acts should stand on the official records, and not on my arguments in their defense. If a public man makes an honest mistake, it is safe to leave it with an intelligent public, who will be ready to appreciate the whole affair much better if he does not make too much fuss about it."

false publications. That was Mr. Hayes's reasoning about the matter.[1] To inquiries addressed to him concerning evil allegations against himself, he would reply giving the truth in the case, but always with the injunction that his letter was not to be made public; and in a few instances he wrote to friendly editors or writers of articles in the press who had innocently been misled by false reports, in order to set them right, insisting always, however, that he was not to be quoted.[2] He thought it altogether creditable to him that politicians of a certain type[3] and that newspapers like the New York *Sun* spoke ill of him.[4] He would have felt that he was doomed to the woe pronounced by the Divine Master had they spoken well of him. How he

[1] Writing, May 26, 1885, to a Buffalo editor who had asked him what the truth was in regard to some current calumny, Mr. Hayes, after giving the facts, said: "As to the use of my name or authority, I do not deny or explain untruths about me. The reason is obvious. If I did, the failure to deny in any case would be an admission in that case of its truth, and I would be kept busy making denials. I give you the facts and refer you to General Buckland of this town. You will, therefore, deal with the matter without quoting me as authority and thereby oblige."

[2] "I do not notice, nor care for the abuse of the partisan and factional newspapers. A cipher ally or an ultra Stalwart organ may fling squibs at me and I give them no attention — not a second thought. It is according to the logic of the situation. But when I saw yesterday in the *Christian Union* the fling, 'Great Britain has an income of $400,000,000, and yet Queen Victoria is as poor as Mr. Hayes,' I was vexed and felt like calling the attention of the editor, Lyman Abbott, to it. The squib is based on the malicious falsehood that I refused on the score of poverty to make a subscription to the fund for the Garfield Monument. The slander was exploded the day after it was published, and everybody knows that in fact a suitable subscription — $250 — was made cheerfully, and without demur on the ground of lack of means or otherwise. Perhaps I will write to my friend and kinsman in New York, Charles L. Mead, and ask him to give the facts to Mr. Lyman [Abbott]." (Diary, January 23, 1882.)

[3] "If there are any two men in the country whose opposition and hatred are a certificate of good character and sound statesmanship, they are Conkling and Butler. I enjoy the satisfaction of being fully endorsed by the hatred and opposition of both of these men." (Diary, January 16, 1881.)

[4] "I am still honored with the hatred and persistent attacks of the New York *Sun*, the Philadelphia *Times*, H. J. Ransdell, and a small number of followers in various parts of the country. A few are Democrats. More of them are malignant Stalwarts. Their course proves that a good deal was done during my Administration which was worthy of admiration. I am at a loss to say what act gives me most claim on their attention. With some it is temperance at the White House, with some it is fair and wise dealing with the South, and with more it is my blows at the patronage of the bosses. Mr. Lincoln is reported to have said of certain assaults on himself, 'It seems to be a comfort to them and does n't hurt me.'" (Diary, October 23, 1881.)

regarded their attacks is shown by a letter of February 2, 1882, to his old Texan friend, Guy M. Bryan, who was troubled at their continuance. Mr. Hayes wrote: —

I am rather gratified by the criticisms you allude to. They call attention to what must, I think, be written down a very fortunate and successful Administration. It found our financial affairs in wretched condition — with a plan of relief in every mouth, and predictions of failure and ruin if the Administration followed the course to which it was pledged. In the face of opposition and unpopularity rarely equalled, it adhered to its own line of policy and left the finances of our Government the wonder and envy of all the world.

It found laborers out of work, uneasy, in want, and riotous, and it left them fully employed at good wages, and contented, hopeful, and happy.

It found the sectional and race bitterness dangerous and increasing, and it left it with the people of all sections and races more harmonious and united than ever before.

More than all, these results were reached by measures and a policy which were strenuously opposed in whole or in part by most of the powerful leaders of both political parties.

By the reformation in the great offices in New York, the spoils system was uprooted where it was strongest, and a demonstration afforded to the American people that a non-partisan civil service on business principles is entirely practicable.

I am pursued personally by the organs of two factions — each a minority faction — in the opposing parties. The ultra supporters of Tilden for next President, in order to keep alive "the fraud issue" for his benefit, let no chance for calumny go unimproved. But the better brethren of the Democratic party have no hand in this. They follow Hancock, Bayard, Pendleton, McDonald, Lamar, Stephens, Hampton, Gordon, Gibson, Bailey, Colquitt, etc., etc. In my own party the organs of the ultra Stalwarts — Butler, Conkling, etc., etc., etc., — are, if possible, still more bitter. The death of Garfield turns their batteries on me. The blows which he would receive, if living, I now get. But it does not injure me or my Administration. A mere nothing — a King Log — a dead level, never attracts so much attention. Hence the satisfaction I find in this stream of obloquy. It means that their political system — the spoils system and boss system united into one — has been sorely wounded. "But something too much of this."

It is, however, a vast discredit to American popular intelligence that the trivial and senseless maundering of the *Sun* and its imitators of the press, about the chickens at Spiegel Grove, — kept up for years, until a veritable mythology was created, — should have made any impression on the public mind. In

its insane hatred the *Sun* sought to make it appear that the principal occupation of the man, who, since leaving the White House, was giving all his time and energy to the disinterested furtherance of the worthiest causes, was chicken-raising. The persistency with which it paraded its malignant fabrications on this score, aided by the silly patter of shallow newspaper paragraphers, did have its effect on the public mind, constantly assailed as it was by the "damnable iteration." Even to this day the effect has not entirely disappeared. An eminent and worthy Republican leader, who had been the candidate for Governor of one of the greatest States of the Union, amazed the author, as he was about to begin the writing of this chapter, with a humiliating confession of his acceptance of the base and baseless fiction of the *Sun*. Mr. Hayes himself treated the whole incident, like everything emanating from the same source, with good-natured and contemptuous disregard.

On the other hand, he was gratified when friendly words were said of him,[1] and he was greatly pleased in the last years of his life to feel assured that the current of popular recognition was turning more strongly in his favor; that the efforts of his detractors were for the most part growing feebler and being met

[1] "In Captain John G. Bourke's new book, *On the Border with Crook*, under date of June 23, 1876, page 321, he tells how Lieutenant Schuyler, Fifth Cavalry, made the trip out to Crook from Fort Fetterman in four days to Crook's command with two couriers who brought the mail with news, among other facts of interest, 'That Rutherford B. Hayes, of Ohio, had been nominated by the Republicans for the Presidency. General Hayes had commanded a brigade under Crook in the Army of West Virginia during the War of the Rebellion. Crook spoke of his former subordinate in the warmest and most affectionate manner, instancing several battles in which Hayes had displayed exceptional courage and proved himself to be, to use Crook's words, "as brave a man as ever wore a shoulderstrap."'

"I very early in my political career learned to estimate at its true value the censure, abuse, and ridicule which follow all men who are prominent in public life. It is so common, so destitute of truth, and so meaningless, so far from the true opinions and feelings of those who utter it, that it ought not to seriously affect those upon whom it is poured out. This I saw and appreciated and I soon found philosophy enough in my composition in a great measure to disregard it. Indeed, I suppose few public men ever regard such abuse with less feeling than I do. At the same time I must confess that flattery, good words from the right quarter, 'Aaron's beard,' as Lucy habitually called it, is as sweet to me as to others. Especially is this so if I fancy it is deserved, is warranted by truth, and if it comes from a man of so few words, so *ungushing* as Crook was." (Diary, October 28, 1891.)

with wider and more vigorous counteraction. The popular demonstrations which greeted his appearance on every public occasion that he honored with his presence in the last months of his life touched his heart with deep and grateful emotion. Time was already setting things right and he was coming to his own. There is abundant evidence in the diary[1] of the gratification he felt at the change in public sentiment; and the Reverend F. H. Wines, in the address from which quotation was made in the preceding chapter, gives testimony to the same effect. He uses this language:—

> Not even to his own children would he utter a word in his own defense. He died and he made no sign. And yet I know that he was not indifferent to public opinion nor insensible to neglect. At one of our meetings he was invited to a camp-fire, where he alluded to the recent loss of his wife and to her virtues in a way which melted all who heard him to tears. Some one who heard him speak on that occasion said enthusiastically that he meant to vote for Hayes at every election thereafter as long as they both lived. The next morning at breakfast I quoted this friendly outburst to the President; and turning his head in a way peculiar to himself, but which you must all remember, he said, in a low tone, full of pathos, and in a hesitating manner, "I think — the tide is beginning to turn — a little — in my favor."

Mr. Hayes maintained throughout life his early love of books and reading. In his later years he read all that he could lay his hands on relating to the reform work and the phases of education in which he was most interested; and the books and magazine articles discussing the new social questions that were coming into prominence.[2] His particular field of study was American history and biography, and he was especially interested in everything that threw light on the settlement and progress of Ohio. It was his interest in these subjects that led him to purchase, in the early seventies, the collection of Americana made by Robert Clarke, the well-known publisher of Cincinnati. This

[1] For example: "An abundance of friendly comment comes to me these days. The stream of abuse has gone by. The reaction is coming. The pendulum seems to swing to the other extreme. Lucy was more hurt by calumny than I ever was. She cared no more for praise, perhaps less, than I do; but slander gave her far more pain. I was confident always that in ten years or more the judgment of *our* acts and character would be more friendly." (Diary, January 5, 1892.)

[2] He spoke of himself, in a letter of 1890, as "a radical in thought and principle — a conservative in method and action," borrowing the sentiment and language from some source that he did not recall.

contains some six thousand volumes and is rich in books of pioneer history, exploration, and early travels, biographies, and genealogical lore. In general literature Mr. Hayes's tastes were wide and catholic. During his life he gathered about him the English and American classics, and translations of the masterpieces of other tongues, to the number of several thousand volumes; and to these he constantly returned for joy and refreshment. He read sparingly and only the best of the more recent writers of his day. Of these Howells, who was a close friend, pleased him most. In the very last year of his life he resolved to pursue the Chautauqua course of reading, the completion of which would require years; and set apart regular hours to the undertaking whenever he was at home.[1] His favorite prose writers to the last were Emerson, Hawthorne, Lincoln, and Scott; the poets who gave him most pleasure in his later years were Byron, Browning, and Edwin Arnold. Emerson stood foremost of all authors in his affection, and to him he went most frequently for spiritual encouragement and cheer. Mrs. Herron, with two of her daughters, spent some weeks at Spiegel Grove soon after Mrs. Hayes's death. During this visit Mr. Hayes and Mrs. Herron read much together, and after her return home they entered on a course of reading of Emerson, comparing in letters to each other their impressions of various essays and their estimate of Emerson's distinctive message to the world. The main ends in view in such reading, he thought, were "mental improvement — for information — to keep the faculties alert and alive"; and, more important still, preparation "for the inevitable, to be content at least for the time and also in view of the future"; in a word, "to develop and strengthen character." The end most essential was the last — "to be really fit for the present and ready for the future." And what author offered more to this purpose than Emerson? "He deals, as I think, wisely with the deep questions, with God, the soul, our present and our future well-being." "'Rest and content,' and to be 'lifted above trifles' — is not this all that is best in religion,

[1] "At the close of my seventieth year I join the Chautauqua class of 1896 — not at all confident that I shall live to complete it, but with two notions in my thinking about it. It may be useful as an example to others. Let education continue to the end of life. I find I gain by practice in writing the remarks and speeches I am constantly making." (Diary, September 4, 1892.)

whether natural or supernatural?" "How Emerson prepares one to meet the disappointments and griefs of this mortal life! His writings, with me, seem to be religion. They bring peace, consolation; that rest for the mind and heart which we all long for — content." These quotations are taken from different letters to Mrs. Herron. One letter (December 5, 1889) may be given almost in full: —

Your letter on the essay of Emerson was to the point and set me to reading. Having given to "Immortality" a second hearing, I was ready to reply. But alas! all sorts of claims came down on me. I spent Thanksgiving at Birchard's. While there I got hold of Edwin Arnold's "Light of Asia." Instantly I was switched off into Buddhism. I read all of the notes. Some touched on our question. I was greatly attracted. Now I am mixed. But I must begin.

There is nothing consecutive in Emerson. He is often obscure. Sometimes, perhaps, — precious confession, — unmeaning. He will not change our faith; he will not lead us to any faith. But I insist that we shall be more and more content with God, with the future, with this whole *bow-wow*. We shall have more charity for others' errors. We shall have fewer errors of our own. Therefore let us read him.

I have gone next to "Inspiration." But you will ask me, Are you done with immortality? Yes, for now. We can return to it. What are the results so far? I am sure you have them all. There is *no assurance* of the great fact in question. All the arguments are mere probabilities, analogies, fancies, whims. We believe or disbelieve, or are in doubt, according to our make-up, to accidents, to education, to environment. For myself I do not reach either faith or belief in the fact in its true sense, namely, that *I* — the conscious person talking to you — will meet you in the world beyond; *you* being yourself a conscious person — the same person now reading what I say.

Do you ask, What have we gained? Not much, I admit. But it is something to know, that, with the best mind of our time and race, we do not know. I confess that I have "a longing after immortality," in the ordinary sense of the word. But I am far more content with whatever may come since I have read Emerson's calm, quiet, self-satisfied way of dealing with the deepest questions. It is something to trust God.

Now shall we try "Inspiration"? You sit at the helm. Choose as you are inclined. I will insist that the more we read of Emerson, the better we will like him — the wiser we will be — the better we will find ourselves; and by consequence (if anything is consequence) *the happier*. Which is one of the aims; the chief aim being to become better, to get character.[1]

[1] The following comment on Lowell in contrast with Emerson is interesting: "I have been reading Lowell's prose. Pungent, witty, sound; too fond of

And Mr. Hayes did trust God. He came of a long line of godly ancestors. His mother, who was a faithful member of the Presbyterian Church, was a woman of fervent piety, who saw in every event of life, public or private, either evidence of God's favor or a judgment of Divine wrath on the wickedness of men. He was nurtured in the fear and admonition of the Lord. His college teachers at Kenyon were Christian gentlemen of the Episcopal Church, and the life of the college and the college town was permeated with the Christian spirit. Mr. Hayes was conversant with the Bible from early youth and accepted the fundamental principles of religion which it inculcates and enforces. He was throughout life a regular churchgoer, never failing to attend Sunday service unless some imperative necessity intervened; always after his marriage going to the Methodist Church, of which Mrs. Hayes was a communicant, and giving it liberal support. While he felt himself to be a Christian in all essential respects, he never united with any church. There were declarations of belief in the orthodox creeds that he could not conscientiously make. But he had no doubt of the Divine governance of the world; no doubt of the overruling of a wise and beneficent Providence in the affairs of mankind; no doubt that each individual was in some sort, according to his place and station in life, an instrument in carrying forward the eternal purposes, and so should have an abiding sense of his obligation to live "as ever in his great Taskmaster's eye." Repeatedly in official documents, in public addresses,[1] in letters, and in his

classical and other learned allusions; retains in form the old faiths, and is always interesting. Not lofty nor inspired like Emerson; not satisfying; does not leave one resting and contented; but still one of the better brethren." (From letter (February 8, 1892) to Mrs. Herron.)

[1] For example, at Weirs, New Hampshire, August 22, 1877, replying to the address which welcomed him and his party to the camp-meeting there in progress, he said: "I wish to assure you that this kind welcome gives me very great gratification. We do not, I am sure, mistake its meaning. You are interested in me and those with me because of the great trust which, under the Constitution and laws, has devolved upon us. You believe with Lincoln that in the performance of his duties the only safe reliance for your Chief Magistrate is that Divine assistance without which he cannot succeed and with which he cannot fail. My earnest desire is, my prayer is, that in every difficult and grave emergency I may be so guided that all good citizens can approve the measures that may be adopted, and that all may conscientiously pray for their complete success."

diary he gave expression to his sense of dependence on the Divine favor. These various expressions have the tone of utter sincerity, never striking one as forced or conventional phrases. In his inaugural address on first becoming Governor of Ohio, he expressed the hope that all might be done under the guidance of Providence. In his letter of acceptance of the Presidential nomination, in his inaugural address, and in every one of his annual messages to Congress, he expressed "devout gratitude to the Giver of all good," or invoked "the guidance of that Divine Hand by which the destinies of nations and individuals are shaped."

The Reverend Washington Gladden said, in the discourse from which quotation has already been made: —

> I do not know that he formulated for himself any creed; he was content, probably, with a very short statement of some of the fundamental truths of religion. He was profoundly interested in the truth which constitutes the heart of all faiths. . . . He asked me, not long ago, if I knew a certain minister of our communion. I replied that I had known him from his seminary days. "Well," he said, "I heard him preach last Sunday at Brattleboro, Vermont. You know," he added, with a humorous twinkle, "we always think that a man who agrees with us is an able man. But the text of this sermon was a striking one: 'The second is like unto it.' That was all there was of the text; but it was enough, I assure you, to furnish the foundation of a very strong discourse."
>
> I could easily believe it. "The second is like unto it" — *equal* to it. It is what our Master says about the second great commandment of the law. The first great commandment is "Thou shalt love the Lord thy God with all thy heart"; the second is like unto it — equally binding, equally fundamental, equally religious — "Thou shalt love thy neighbor as thyself." The fact that had made its impression upon the President's mind was the equivalence of these commandments. That indicated his hearty recognition of both of them. But I suppose if he had been challenged to confess his faith, it would have been uttered in the words of the beloved apostle, "He that loveth not his brother whom he hath seen, how can he love God whom he hath not seen?" And if the word of that apostle is true — that "every one who loveth is begotten of God and knoweth God" — then the unselfish ministry of the last ten years would prove that the first great commandment was also the law of his life.

In a letter to his cousin, Mrs. Mary M. Fitch, the wife of a missionary at Shanghai, a few months before his death, Mr.

Hayes did come near defining his creed: "The teachings of Christ, meaning his words as interpreted by Himself in his life and deeds, are in truth the way of salvation. Wishing and striving to do this [to accept Christ's teachings as just defined] I know I am safe." [1] Moreover, in his diary (May 17, 1890), we have this confession: "I am not a subscriber to any creed. I belong to no church. But in a sense satisfactory to myself and believed by me to be important, I try to be a Christian, or rather I want to be a Christian and to help do Christian work."

And finally, on the very Sunday before the fatal seizure fell upon him, we have this declaration: "I am a Christian, according to my conscience, in belief, not, of course, in character and conduct, but in purpose and wish; not, of course, by the orthodox standard. But I am content and have a feeling of trust and safety."

These words of assurance and the sentence of aspiration written the following morning, "Let me be pure and wise and kind and true in all things," — the last significant entries in the diary, — are very noble revelations of his inmost life, of its attitude toward the eternal mystery, of its desire for the supreme excellencies of character, for a man to leave behind as his last utterances on the issues of life and death. They reflect the spirit which throughout his life, of unusually varied activities and of many and grave responsibilities, Rutherford B. Hayes had wished to inform his conscience and to control his conduct.

The longer the writer has busied himself with the career of Mr. Hayes, the more intimately he has studied and felt the influence of his serene, lofty, and well-rounded character, the worthier they seem to him of admiration and emulation. Mr. Hayes seems to him to have been an American of the finest type; in the quality of his ancestry, in his home surroundings and early

[1] Mr. Hayes was much impressed by the closing declaration of Charles Dickens's will: "I commit my soul to the mercy of God through our Lord and Saviour Jesus Christ, and I exhort my dear children humbly to try to guide themselves by the teachings of the New Testament in its broad spirit, and to put no faith in any man's narrow construction of its letter here or there." These words, he wrote in his diary (March 13, 1892), expressed his own sentiment, and he commended them to his children, along with Dean Stanley's lofty and broad-minded Dickens funeral sermon.

influences, in his education, in his deliberate self-discipline and constant striving to establish and ennoble his character; in his patriotism and high courage, alike on the battlefield and as Chief Magistrate; in the readiness and thoroughness with which he accepted and performed whatever tasks were laid upon him; in his devotion to duty and his public spirit and philanthropy; in his modesty and dignity of demeanor; in the sobriety and moderation of his life; in the simplicity and beauty of his domestic relations and his friendships; in his ardor for the highest and best outgivings of the human spirit; in his acknowledgment of, and sense of dependence upon, an overruling and guiding Providence; in his practical exemplification in all the relations of life of the Christian virtues. Of him, if of any one, it can be said: —

"He was a verray perfight gentil knight."

THE END

APPENDIX

APPENDIX

SPIEGEL GROVE

LUCY ELLIOT KEELER

Spiegel Grove, the homestead of President Hayes, the beautiful twenty-five acre grove of native American trees, is a portion of the historic site of the free cities of the Neutral Nation of the Eries, who three centuries ago built two fortified towns on opposite sides of the Sandusky River at its lower falls. The site of these towns was on the great natural runway used by the earliest recorded Indians and their allies, the French explorers and missionaries, in passing from the St. Lawrence and the Great Lakes to the Ohio and Mississippi. This "Old French and Indian Trail," later called "the Harrison Trail of the War of 1812," was along the western bank of the Sandusky-Scioto Waterway from Lake Erie to the Ohio River. It extended for over half a mile through Spiegel Grove.

The house at Spiegel Grove was begun by Sardis Birchard in 1859 for the permanent home of his nephew and ward, Rutherford B. Hayes. Owing to his services in the army, in Congress, and as Governor of Ohio, Mr. Hayes did not occupy it till 1873. Mr. Birchard himself lived there until that time, enjoying frequent visits from his nephew and from the latter's wife and young children.

The original house was a brick structure, two and a half stories high, surrounded on three sides by a verandah; but in 1880, preparatory to his return from the White House, President Hayes built a substantial addition on the north, duplicating the original gabled brick front of the house, and materially remodelling the interior. In 1889 further extensive changes were made, at which time the present large dining-room, kitchens, and several upper chambers were added. This date remains memorable in the family because, before the alterations were finished, the beautiful mistress of the house, who had looked forward eagerly to the larger opportunities for hospitality, was stricken and died.

Two rooms of the original house remain intact, the Red Parlor on the first floor, and the Birchard Room directly above it, which had been Mr. Birchard's bedchamber. The house has high ceilings, spacious rooms with hardwood floors, and many open fireplaces. A verandah eighty feet long and fourteen feet wide, so arranged as to make thirty-three laps to the mile, extends in front of the whole house. From the centre

of the large entrance hall one can look up four stories to the observatory, the upper halls forming balconies opposite the stairways. To the left of the front door as you enter hangs the portrait of Sardis Birchard, to the right, that of his sister, Sophia Birchard Hayes, the mother of the President. The two archways opening from the hall are draped with the regimental flags of Colonel Webb C. Hayes in the war with Spain and in the Philippine insurrection, taking the place long filled by his father's regimental flags of forty years earlier, which are now carefully preserved in glass cases. On the third archway hang the "grandfathers' guns" of the War of 1812, being the old flintlocks used by Rutherford Hayes, of Vermont, and James Webb, of Kentucky. Beneath these, glass cases contain the side-arms used by General Hayes during the War for the Union; and those used by Colonel Hayes in the war with Spain, in the Philippines, and in China. A silver plate, presented to Mrs. Hayes by the soldiers of the Twenty-third Regiment, O.V.I., on the occasion of the silver wedding celebration at the White House, hangs by the parlor entrance. It is engraved with a design of the log cabin in which Mrs. Hayes lived with her husband for two winters in camp in Virginia, and with verses inscribed to "Our Mother." The large front hallway is further furnished with an old-fashioned fireplace, and a handsome dark, carved Chinese settle.

The drawing-room, opening to the right of the hall, is thirty-six feet long and is connected by an open archway with a library of the same length, where for many years was stored the fine historical library of President Hayes. This room preserves an atmosphere of homelikeness and comfort and is indicative of the well-rounded character and refinement of the student who arranged it. The many thousand volumes of Americana include apparently everything available up to the President's death. Although this historical library has been transferred to the Memorial Building, the bookshelves have been refilled with volumes of general literature, and so present little outward difference of appearance from that of former days. A beautiful portrait of Mrs. Hayes in her young womanhood hangs over the mantel. In the drawing-room hang life-size portraits of President and Mrs. Hayes, by Brown and Andrews respectively, and other admirable family portraits and landscapes. Fine old mahogany furniture, a magnificent Chinese rug and embroideries, and a facsimile of the desk on which Jefferson wrote the Declaration of Independence, are interesting treasures of this room.

The Red Parlor to the left of the hall contains a full-length portrait of the only daughter of the house, at the age of twelve, painted at the White House by Andrews; a water-color by Turner, and landscapes in oil by Bierstadt and others. The chairs are marked, those used at President Hayes's inauguration in 1877 by President Grant, Chief Justice Waite, the Sergeant-at-Arms, and himself; and the large upholstered chair used by President Cleveland, at the funeral of President

Hayes in January, 1893. Here are also the chairs used at the funeral by Governor McKinley, of Ohio; the three Army Officers, Colonels H. C. Corbin, H. C. Luddington, and J. C. Breckinridge, representing the War Department; four members of President Harrison's Cabinet; the Honorable J. L. M. Curry, of Virginia, general agent of the Peabody and Slater funds; and official representatives of the Loyal Legion of which Mr. Hayes was the commander-in-chief, and others.

The bedroom in which both President and Mrs. Hayes died faces the south and overlooks one of the most beautiful parts of the grove. The furniture is of old mahogany, a four-poster bed and a post-decorated dresser. The books and pictures of Mrs. Hayes are carefully preserved as arranged by President Hayes after her death.

One of the most beautiful rooms of the house is the large dining-room with great windows at each end overlooking the lawns. The shelved chimney-piece over the large fireplace is devoted to fine examples of old Chinese porcelain and marred samples of the china used at the White House during the Hayes Administration. The chimney-piece is topped with elk horns and the skull and jaws of a huge grizzly bear shot by Colonel Hayes. The two mahogany sideboards are family heirlooms, descended from the Birchard and Cook sides of the house respectively. The two mahogany serving-tables from the White House, purchased during Madison's Administration, were bought at a public sale of discarded furniture in 1881.

An antique clock which ticks circumspectly near the dining-room door, was bequeathed to the President by his grandmother, Chloe Smith Hayes, and brought from the ancestral Hayes homestead in Brattleboro, Vermont. On this clock stands the owl which by dangling on the plumb-bob of the Washington Monument nearly caused the despair of the engineer in charge who thought that his foundation had proved insufficient and that the monument was "wobbling."

Scarcely less than the rooms on the first floor, the upper chambers are crowded with historic and beautiful objects. The Birchard Room has untold treasures from a Colonial and antiquarian point of view, including Washington mirrors, a baptismal font made by the President's great-grandfather, foot-stoves, bed-warmers, and pictures of the old Hayes houses at Branford, Connecticut; West Brattleboro and Dummerston, Vermont; and Delaware, Ohio. The Washington Room contains furniture designed by a cousin, William Rutherford Mead, of the firm of McKim, Mead & White, and purchased by President Hayes for use in his little daughter's room at the White House to be retained by her as a souvenir. The Cook Room contains the furniture used by Mr. and Mrs. Hayes when they were married and when they went to Columbus during the first term as Governor. Here, too, are gathered daguerreotypes and early portraits of the family.

The Otis Room is furnished with beautiful bedroom mahogany

brought from the home of the mother of Mrs. Webb C. Hayes, the present mistress of Spiegel Grove. The Wright Room, named for a devoted friend of the present occupants of the house, the distinguished Professor George Frederick Wright, of Oberlin, contains a magnificent four-poster mahogany bed, an ancient blue coverlid, and other interesting furniture and bric-à-brac.

Owing to the fact that the western wing of the house was unfinished at the time of the death of Mrs. Hayes, it partakes less of the hereditary character than the rest of the mansion; and Colonel Hayes has interested himself in furnishing the rooms with beautiful and curious furniture and hangings imported from the countries where he was under fire in five campaigns. Imposing and massive mahogany beds and dressers furnish the Santiago de Cuba Room; a vast four-poster with steps, that named after Porto Rico; twin cane-bottomed, barrel-canopied beds, and peacock dressers, the Filipino Room; the Chinese Rooms, *en suite*, decorated with Chinese wall-paper and hangings, show a Chinese bed from Ningpo, a monumental structure, carved, inlaid, and panelled with paintings on rice paper; while the Korean Room represents the Russo-Japanese War with a Korean money-chest ornamented with brass swastikas, and Chinese and Korean brasses. The upper hallway, known as the "Smithsonian," is used as an upstairs sitting-room; and another large hallway is furnished with bookcases, settles, and a handsome secretary purchased for the White House in Lincoln's time and used in the Cabinet room during the Administrations of Grant, Hayes, Garfield, Arthur, Cleveland, Harrison, and McKinley, until its sale, with many other interesting relics, on the renovation of the White House after the death of McKinley.

On General Hayes's personal assumption of the Spiegel Grove property in 1873, he began to improve and beautify the place, preserving and accentuating its natural features by clearing out indifferent trees, extending the lawns immediately about the house to let in the sunlight, opening vistas to throw into relief some superb old oak or elm, and planting the hemlock avenue and wind-breaks of spruces and pines. The handsome Japanese cypresses and deciduous trees south of the house were sent thither from the Centennial Exposition in 1876, being among the earliest of such Japanese importations. General Hayes took particular pleasure in gathering historic trees, among which were a Napoleon willow, the forebears of which were willows on Washington's grave at Mount Vernon and Napoleon's at St. Helena; two oaks grown from acorns of the veritable Charter Oak at Hartford, Connecticut, and tulip trees from the Virginia home of James Madison. General Hayes would point out to interested visitors storied trees like the oak to which savage Indians bound a captive maiden and built a fire about her, when a thunderstorm burst and put out the flames. White

traders hearing of the outrage sent a swift runner to Detroit to get an order for her release from the Crane, the Wyandot chief; and he returned in time to save the captive. Another tree with a tale is "Grandfather's," an oak with a large hole near its base, under which Mrs. Hayes's father camped one night during the War of 1812. The story ran that he and a comrade were sent out to forage for provisions. It was so bitterly cold that they could not make their way back to camp, and lighting a fire at the foot of this tree they slept there in the open. The soldiers in camp had their feet frozen that night, but this pair escaped such disaster. The old musket and hunting-horn of this Private James Webb, of the Kentucky Mounted Riflemen, are among the treasures of the house.

West of the residence, in an open field adjoining Spiegel Grove, General Hayes laid out the Lucy Hayes Chapel in young walnut trees, with nave, transepts, and tower, — a chapel which he used to say would be worth looking at two hundred years hence.

The base of the knoll beyond the lawn south of the house is marked by great granite boulders in memory of departed horses, "Old Ned, aged 36," and Colonel Hayes's Filipino pony, "Piddig." Here is buried the only war horse of President Hayes that survived the battles of the war, "Old Whitey, a Hero of Nineteen Battles, '61–65."

General Hayes moved the main entrance to Spiegel Grove, the "Buckland Gateway," to the northeastern angle of the grove, and laid out the winding driveway to the house. The main drive through the grove follows the old Sandusky-Scioto Trail of the Indians and French from Lake Erie to the Ohio River, now known as the Harrison Military Trail of the War of 1812, down which General Harrison brought his troops on his way to Fort Stephenson after Croghan's victory. The road leaves the grove by the Harrison Gateway, at the southwestern angle, continuing down to the old French spring, and on up the Sandusky to Ball's battlefield, Fort Seneca, Fort Ball (Tiffin), Fort Ferree, and Upper Sandusky to Franklinton (now Columbus).

Since Colonel Hayes presented Spiegel Grove to the Ohio Archæological and Historical Society, he has erected three beautiful split boulder gateways at the three principal entrances, two of them marked by enormous ten-inch Rodman guns and named in honor of the two military heroes, General William Henry Harrison and General James B. McPherson (a native of this county), with legends descriptive of the important military events which had local interest in the old French War, Pontiac's Conspiracy, the Revolutionary War, the War of 1812, the War with Mexico, the War for the Union, and the war with Spain, and in the Philippines and China.

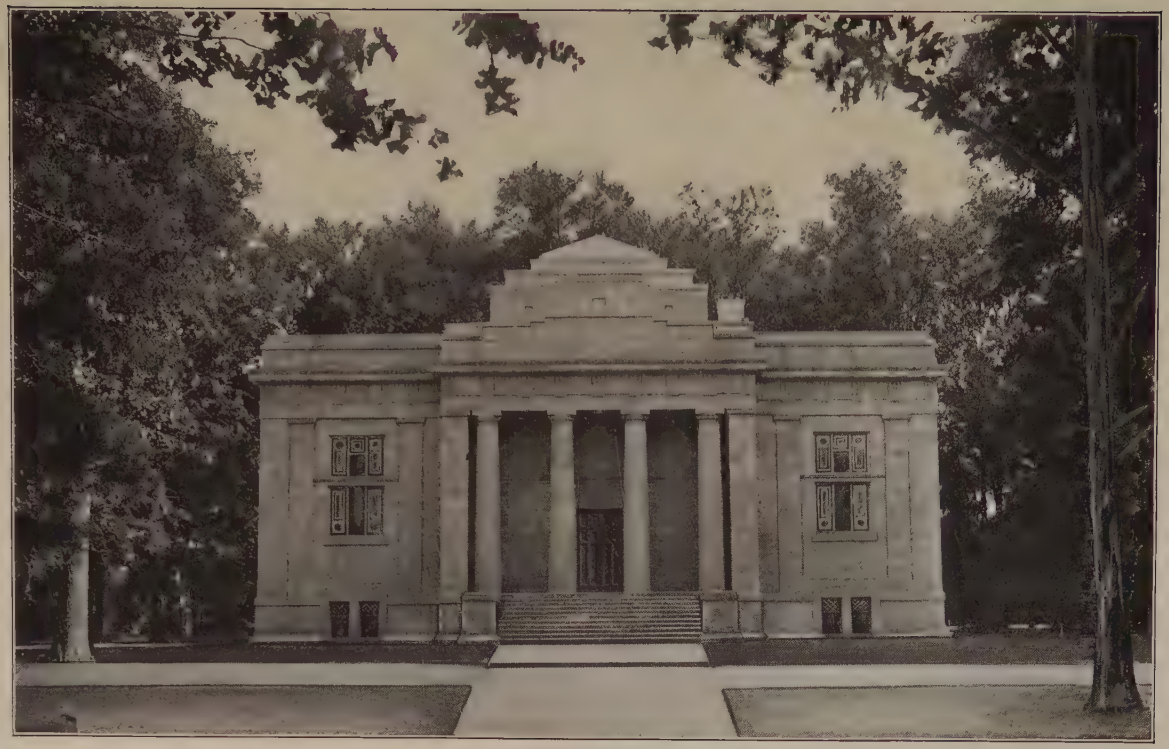
During the first year of President Hayes's Administration, at the annual reunion of his regiment, the custom of naming trees after distinguished guests was inaugurated by the naming of the "Reunion

Oaks" in honor of General Sheridan and of General Hayes's fellow officers in the colonelcy of his regiment, the Twenty-third Ohio Infantry, — Generals Rosecrans, Scammon, and Comly. At this time were named also the "Matthews Oak," the "Chief Justice Waite Oak," and the "General Crook Oak."

The finest elm in the grove was christened the "General Sherman Elm" while General Sherman was visiting Spiegel Grove in 1880, after his memorable trip escorting President Hayes and party to the Pacific Coast and the Texan frontier posts. Since that time the "Garfield Maple," the "Cleveland Hickory," the "McKinley Oaks," and the "Taft Oak" have been named in honor of Presidential visitors, and the "Admiral Clark Oak" in honor of the Captain of the Oregon in the war with Spain. When the great concourse gathered to pay the last tribute to President Hayes, at his funeral in 1893, Grover Cleveland, ex-President and now again President-elect, made the long journey in the midst of furious winter storms to show his frequently expressed admiration and regard for President Hayes. As the procession formed, the family horses attached to the old White House carriage became somewhat fractious, owing to the crisp air and the music of the bands, so that, as President Cleveland was about to enter the carriage, the horses made a plunge forward. While the horses were being brought under control President Cleveland placed his right hand upon a large shell-bark hickory. It was deemed especially appropriate, therefore, that this tree should be named in honor of the great Democrat.

The Taft Oak was also named by the laying-on of hands. Just before starting on his speaking campaign during the Presidential canvass in 1908, Mr. Taft and his charming wife (who as Miss Helen Herron had been a frequent visitor at the Hayes home both in Ohio and at Washington) came to spend a day at Spiegel Grove as the guests of Colonel Hayes. Judge Taft was advised by his host of the custom of naming trees for distinguished visitors, and after having had pointed out to him the General Sherman Elm, the Cleveland Hickory, the Garfield Maple, and the McKinley Oaks, he was invited to select his tree. He promptly advanced to one of the grandest oaks in the grove, immediately in front of the mansion, and placing his hand upon it said with a Taft smile, "This is about my size!" Since then the tree has borne his name.

In the will made by President Hayes, a short time before his death, he bequeathed, at the request of his children, Spiegel Grove and all the personal property connected therewith to them to be held in common without sale or division. Five years later, the Ohio Archæological and Historical Society, of which President Hayes was the president at the time of his death, issued a confidential circular with a view of securing the property with its valuable library and collections, which had been



HAYES MEMORIAL BUILDING

Erected in Spiegel Grove in 1912 14

tendered to it on the sole condition of raising an endowment sufficient to preserve and care for the property. In this circular the society said: "This offer of the family is unusual for its liberality, and most worthy of commendation for the filial desire it expresses to perpetuate the memorial to loved and honored parents. The place known as Spiegel Grove is of great historic interest, being located in the old Indian reservation or free territory maintained at the lower rapids of the Sandusky River, for a long time prior to the Revolutionary War. The old Harrison Trail, so called, a military road leading from Fort Stephenson to Fort Seneca, passes through the grove, and is preserved as its principal driveway. Of all the homes of our twenty-four Presidents, covering a period of one hundred and ten years, the only ones that have been preserved are those of Washington at Mount Vernon, Jefferson at Monticello, Madison at Montpelier, Jackson at the Hermitage, and Lincoln's modest home in the city of Springfield; but in every case mentioned more or less time had elapsed before the homes were acquired and put in a state of preservation, and few or no personal relics or memorials were secured. Spiegel Grove is now in a perfect state of preservation, and all of the valuable historical effects of President Hayes remain there intact. Unquestionably this is the largest and most complete and perhaps most valuable collection of documents, papers, and books ever left by any of our Presidents. President Hayes was a great reader and a man of scholarly tastes and attainments. He acquired the finest library of American history perhaps ever owned by any private individual, and during his public life he preserved all papers and memoranda in an orderly and accessible form."

President McKinley, hearing of the possibility of the trustees of the society obtaining ownership of Spiegel Grove, wrote to the president, General R. Brinkerhoff: "The offer made by the family is one which will appeal to the public spirit of the citizens of Ohio. So historic an estate, with its wealth of associations and interest, and an exceedingly important collection of books and documents, should be saved to the State of Ohio and placed within the reach of all to whom their use will be of great value and inspiration."

The society, however, did not succeed in raising the required endowment, and the entire Spiegel Grove property, library, and collections, became the property of Colonel Webb C. Hayes by deed from the other heirs in the settlement of the estate in 1899, since which time he has maintained it as the Hayes family summer home. In order to secure the permanent preservation of the Harrison Trail, Colonel Hayes on March 30, 1909, deeded some twenty acres of Spiegel Grove for a State Park "to the State of Ohio for the use and benefit of the Ohio State Archæological and Historical Society so long as said premises shall be maintained and used as a state park, in which the old French and Indian trail along the Sandusky-Scioto Water Course from Lake Erie to the Ohio River, later known as the Harrison Military Trail of the War

of 1812, shall be preserved in its present location and maintained as a drive, and in which the trees, shrubs, and flowers, now growing in said park shall be preserved and cared for, and together with such other trees, shrubs, and flowers as may hereafter be planted in said park shall be properly marked with the scientific and common names, so as to be instructive and interesting to visitors.

"The Grantor reserves the right to transfer the remains of Rutherford B. Hayes and Lucy W. Hayes to the knoll in the premises hereby conveyed in Spiegel Grove to be placed in a granite block beneath the monument heretofore designed and erected by Rutherford B. Hayes in Oakwood Cemetery, Fremont. The said monument, together with such improvements as shall be placed around it, shall be preserved and maintained forever, but no building or structure, save the monument, other than a suitable enclosure from the public roads, or around the monument, shall be erected in said park without the consent in writing of the Grantor."

A year later, on March 12, 1910, Colonel Hayes executed a trust deed, to secure to the State of Ohio all the remaining portion of Spiegel Grove, including the residence, as well as "all the personal property which formerly belonged to Rutherford B. Hayes and Lucy Webb Hayes, or either of them, located in said Spiegel Grove or elsewhere in the city of Fremont, Ohio." The deed declares: —

"Ever since the death of Rutherford B. Hayes and Lucy Webb Hayes, it has been the desire of their children to place Spiegel Grove, which for many years was their home, into such hands and under such conditions as would make it a fitting memorial from their children to a beloved father and mother. In partial accomplishment of this desire the said Grantor has heretofore conveyed to the State of Ohio portions of the aforesaid Spiegel Grove, which portions so conveyed are to be held by the State of Ohio for the use and benefit of the Ohio State Archæological and Historical Society so long as the premises shall be maintained as a State Park in which the Old French and Indian Trail along the Sandusky-Scioto Water Course from Lake Erie to the Ohio River, later known as the Harrison Military Trail of the War of 1812, shall be preserved in its present location and maintained as a park drive, together with the park drives in the above described premises substantially as now located, and in which the trees, shrubs, and flowers now growing in said Park and Spiegel Grove shall be preserved and cared for, and together with other trees, shrubs, and flowers as may be hereafter planted in said Park and Spiegel Grove shall be properly marked with their scientific and common names so as to be instructive and interesting to visitors. In order to completely carry out the intentions of said Grantor, so that ultimately all of Spiegel Grove may be held and used for the purpose aforesaid, and the residence therein preserved in its original condition as a typical American home of the last half of the Nineteenth Century and used for residential purposes only, the said

Grantor has executed and delivered this conveyance, subject to the following covenants and conditions:

"First: That the said Ohio State Archæological and Historical Society shall secure the erection upon that part of Spiegel Grove heretofore conveyed to the State of Ohio for a State Park a suitable fireproof building, on the site reserved opposite the Jefferson Street entrance, for the purpose of preserving and forever keeping in Spiegel Grove all papers, books, and manuscripts left by the said Rutherford B. Hayes, together with such articles and property formerly belonging to the said Rutherford B. Hayes as are now loaned to or stored with the Birchard Library Association or elsewhere in Fremont, Ohio; including also such articles and property of the Grantor as may have been loaned or stored by the said Grantor with the Western Reserve Historical Society of Cleveland, Ohio, or the Birchard Library Association of Fremont, Ohio: which building shall be in the form of a Branch Reference Library and Museum of the Ohio State Archæological and Historical Society, and the construction and decoration of the said building shall be in the nature of a memorial also to the soldiers, sailors, and pioneers of Sandusky County; and suitable memorial tablets, busts, and decorations indicative of the historical events and patriotic citizenship of Sandusky County shall be placed in and on said building, and said building shall forever remain open to the public under proper rules and regulations to be hereafter made by said Society.

"Second: Any conveyance of the described premises shall reserve to the said Grantor during his lifetime and to his nominee, appointed as hereinafter provided and to the remaining Grantees and to their nominees and to the successors of said nominees as hereinafter appointed after said Grantor's death the right of occupying the residence now located upon the premises. . . .

"No person except a husband or a wife of the above named Grantees shall be nominated or given the right of occupying said residence in the manner aforesaid unless he or she shall be a lineal descendant of the said Rutherford B. Hayes and Lucy Webb Hayes. If at any time there shall be no one living selected in the manner aforesaid to occupy said residence, then the Trustees of the Ohio State Archæological and Historical Society shall have the right to select a lineal descendant of the said Rutherford B. Hayes and Lucy Webb Hayes to use and occupy said residence; but said residence shall never be occupied or used for any other than residential purposes only, to the end of preserving it in its original condition as a typical home of the last half of the Nineteenth Century.

"The foregoing matter contained in this second paragraph shall not preclude the occupancy of a suitable portion of said residence by a caretaker during the absence of those who by the terms of this paragraph are given the right of occupancy in said home."

The society was rejoiced to accept the trust, and the Legislature of

Ohio was not slow in appropriating fifty thousand dollars for the erection of a fireproof building. This Memorial Building, which is a beautiful structure of classic architecture, stands among the great trees to the north of the house, facing the entrance from Hayes Avenue. It is of light-grey Ohio sandstone and of ample proportions. Within its walls, carefully arranged, are now permanently preserved the valuable library, papers, and collections of President Hayes.

Thus there is no absence at Spiegel Grove of that tradition which Ruskin thought would "rob your rivers of their laughter and your flowers of their light." Nature and intelligent endeavor, working hand in hand, have stamped beauty and story upon its every detail. One feels that the influence of the early denizens of the place still haunts it; that over house and grounds broods a spirit of beautiful other days when a sturdy man and a lovely woman who had received the highest honors in the land lived there, leaving behind them traditions of gracious manners, high ideals, and noble characters as a legacy to their children, their townspeople, and their countrymen. Of memorial parks such as Spiegel Grove this land has all too few.

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